Regd. No. M 1178.

The Mysore Gazette

PUBLISHED BY AUTHORITY

(EXTRAORDINARY.)

BANGALORE, THURSDAY, FEBRUARY 14, 1946.

NOTIFICATION.

No. S. D. 5713—C. 80-45-24, dated Bangalore, the 14th February 1946.

In exercise of the powers conferred by Rule 75-A, 75-B and Rule 81 of the Defence of India Rules, as applied to Mysore and of all other powers enabling them in this behalf, the Government of His Highness the Maharaja are pleased to direct that the following amendments be made in the Articles of Food Acquisition (Harvest) Order, 1944, promulgated in Notification No. SDC. 218—C. 103-44-9, dated the 15th November 1944.

NOTE 1—CLAUSE 4 OF THE ORDER.

(1) *Substitute* the words "one and two-thirds pavu *for* the words "half a seer" wherever they occur in the above Note.

(2) After the word "except" in line 5 of the above note,

Substitute the words "children below eight years of age who will receive half that quantity" *for* the words "infants under one year of age".

The above changes will take effect from the 17th February 1946.

C. E. NORONHA, *Dev. Secy.*
(*Food Supplies*).

Printed by the Superintendent at the Government Press, Bangalore.

2

NOTIFICATION.

No. R. L. 1073—Legis. 16-45-2, dated Bangalore, the 11th May 1946.

Ordered that the accompanying Mysore War Risks (Goods) Insurance (Termination) (Amendment) (Emergency) Act, 1946, which received the assent of His Highness the Maharaja, on the 24th day of April 1946, be published as Act No. XVII of 1946 in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XVII OF 1946.

THE MYSORE WAR RISKS (GOODS) INSURANCE (TERMINATION) (AMENDMENT) (EMERGENCY) ACT, 1946.

(Received the assent of His Highness the Maharaja on the 24th day of April 1946.)

An Act to amend the Mysore War Risks (Goods) Insurance (Termination) (Emergency) Act, 1945 (XXXIV of 1945).

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to amend the Mysore War Risks (Goods) Insurance (Termination) (Emergency) Act, 1945 (XXXIV of 1945) for the purposes hereinafter appearing;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940),

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Mysore War Risks (Goods) Insurance (Termination) (Amendment) (Emergency) Act, 1946.

(2) It shall come into force at once.

Amendment of Section 2, Act XXXIV of 1945.

2. In section 2 of the Mysore War Risks (Goods) Insurance (Termination) (Emergency) Act, 1945, for the word and figure "section 6", the words and figures "section 5 and section 6" and for the word "is" the word "are" shall be substituted and shall be deemed always to have been substituted.

N. MADHAVA RAU,
Dewan.

Printed by the Superintendent at the Government Press, Bangalore.

NOTIFICATION.

Order No. RL. 1077 Legis. 33-45-1, dated Bangalore, the 13th May 1946.

Ordered that the accompanying Mysore Motor Vehicles and Road Traffic (Second Amendment) (Emergency) Act, 1946, which received the assent of His Highness the Maharaja, on the 29th day of April 1946, be published as Act No. XVIII of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. XVIII OF 1946.

THE MYSORE MOTOR VEHICLES AND ROAD TRAFFIC (SECOND AMENDMENT) (EMERGENCY) ACT, 1946.

(Received the assent of His Highness the Maharaja on the 29th day of April 1946.)

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action further to amend the Mysore Motor Vehicles and Road Traffic Act 1944 (XXVII of 1944);

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act 1940 (XVIII of 1940);

It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Mysore Motor Vehicles and Road Traffic (Second Amendment) (Emergency) Act, 1946.

(2) It shall come into force at once.

Amendment of Section 40, Act XXVII of 1944.

2. In sub-section (2) of section 40 of the Mysore Motor Vehicles and Road Traffic Act 1944 (hereinafter referred to as the said Act) for the words "but no person who has any financial interest", the words "but no non-official who has any financial interest" and for the words "if any person being a member," the words "if any such person being a member" shall be substituted.

Amendment of Section 45, Act XXVII of 1944.

3. In section 45 of the said Act for the words "but no person who has any financial interest" the words "but no non-official who has any financial interest," and for the words "if any person being a member," the words "if any such person being a member" shall be substituted.

N. MADHAVA RAU,
Dewan.

Printed by the Superintendent at the Government Press, Bangalore.

4

NOTIFICATION.

Order No. R. L. 1262—Legis. 36-45-1, dated Bangalore, the 21st June 1946.

Ordered that the accompanying Repealing (Emergency) Act, 1946, which received the assent of His Highness the Maharaja, on the 28th day of May 1946, be published as Act No. XXI of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XXI OF 1946.

THE REPEALING (EMERGENCY) ACT, 1946.

(*Received the assent of His Highness the Maharaja on the 28th day of May 1946.*)

An Act to repeal certain Acts.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to repeal certain Acts;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

1. (1) This Act may be called the Repealing (Emergency) Act, 1946. Short title and commencement.

(2) It shall come into force at once.

Repeal of certain Acts.

2. The Acts specified in the schedule annexed to this Act are hereby repealed.

THE SCHEDULE.

ACTS REPEALED.

(*See Section* 2).

Year	No.	Short title
1	2	3
1942	II	The Air Raid Precautions Services Act, 1942.
1942	XXVI	The Mysore Motor Vehicles (Drivers) Act, 1942.
1943	III	The Registration of Foreigners Act (Extending) Act, 1943.

N. MADHAVA RAU,
Dewan.

Price : 0-0-6.

Printep by the Superintendent at th Governmnt Press, Bangalore.

NOTIFICATION.

No. R. L. 1265—Legis 38-45-1, dated Bangalore, the 21st June 1946.

Ordered that the accompanying Defence of India (Second Amendment) Act, 1946, which received the assent of His Highness the Maharaja, on the 4th day of June 1946, be published as Act No. XXIII of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

15.7.46

ACT No. XXIII OF 1946.

The Defence of India (Second Amendment) Act, 1946.

(*Received the assent of His Highness the Maharaja on the fourth day of June* 1946.)

An Act further to amend the Defence of India Act, 1939, as applied to Mysore.

WHEREAS it is expedient further to amend the Defence of India Act, 1939, as applied to Mysore [being annexure to the Defence of India (Adaptation to Mysore) Act, 1939 (XXVI of 1939)];

His Highness the Maharaja is pleased to enact as follows:—

1. (1) This Act may be called the Defence of India (Second Amendment) Act, 1946. Short title and commencement.

(2) It shall come into force at once.

Amendment of Section 1, Act XXXV of 1939.

2. In the Annexure to the Defence of India (Adaptation to Mysore) Act, 1939, being the Defence of India Act, 1939, of the Government of India (XXXV of 1939) as applied to Mysore, the following amendment shall be incorporated, namely :—

"To sub-section (4) of section 1, the following shall be added, namely :—

"but its expiry under the operation of this sub-section shall not affect—

(*a*) the previous operation of, or anything duly done or suffered under, this Act or any rule made thereunder or any order made under any such rule, or

(*b*) any right, privilege, obligation or liability acquired, accrued or incurred under this Act or any rule made thereunder or any order made under any such rule, or

(*c*) any penalty, forfeiture or punishment incurred in respect of any contravention of any rule made under this Act or of any order made under any such rule, or

(*d*) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if this Act had not expired".

N. MADHAVA RAU,

Dewan.

Price : 0-0-6.

Printed by the Superintendent at the Government Press, Bangalore.

Regd. No. M 1175.

The Mysore Gazette

PUBLISHED BY AUTHORITY

(SUPPLEMENTAL)

BANGALORE THURSDAY, JUNE 27, 1946.

NOTIFICATION.

No. 5311—L. C., dated Bangalore, the 27th June 1946.

Under Standing Order 36 of the Mysore Legislative Council Standing Orders, the following report of the Select Committee on the Mysore Income-tax (Amendment) Bill is published for general information.

By Order,

K. PHEROZESHAW POONEGAR,

Secretary,

Mysore Legislative Council.

REPORT OF THE SELECT COMMITTEE ON THE MYSORE INCOME-TAX (AMENDMENT) BILL (HELD ON 25TH JUNE 1946).

We, the members of the Select Committee to which the Mysore Income-tax (Amendment) Bill was referred, have considered the several clauses of the Bill and have the honour to submit the following Report:—

Dharmaprakasa L. S. Venkaji Rao proposed amendments to the Bill, but, as the amendments put forth by Mr. Venkaji Rao introduced new principles which were not placed before the recent Session of the Representative Assembly, they could not be considered by the Committee.

It was unanimously agreed that a Special Committee of officials, experts and non-officials be constituted very soon to examine the Income-tax Law as it exists at present in Mysore and to consider which clauses of the British Indian Income-tax Law could be incorporated in the Mysore Income-tax Act to suit the conditions prevailing here.

Hence, the amendments proposed by Mr. Venkaji Rao were not pressed by him, and the Bill is, accordingly, referred back to the Council as brought by Government.

(Sd.) O. S. NASRULLA SHERIFF.
„ B. S. RAGHAVENDRA RAO.
„ L. S. VENKAJI RAO.
„ D. S. MALLAPPA.
„ O. VEERABASAPPA.
„ BELUR SRINIVASA IYENGAR.
„ G. R. ETHIRAJALU NAIDU.
„ S. L. MANNAJI RAO.

Printed by the Superintendent at the Government Press, Bangalore.

10

NOTIFICATION.

No. A. F. 448—Mart. 29-45-8, dated Bangalore, the 19th July 1946.

In exercise of the powers conferred by sub-section (1) of Section 6 of the Mysore Agricultural Produce Markets Act (No. XVI of 1939), the Government of His Highness the Maharaja are pleased to make the following amendments to the Mysore Agricultural Produce Markets Rules, 1941, a draft of the amendments having been previously published at page 212 of Part IV of the *Mysore Gazette* dated 4th April 1946 as required by sub-section 4 of the aforesaid section :—

To sub-rule (1) of Rule 55, the following proviso shall be added, namely :—

"Provided that when a Market Committee is established for the first time any trader not being a broker shall make such application to the Chief Marketing Officer and on executing an agreement in such form and tendering such fees as that officer may determine shall be entitled to have his name registered as a trader."

To sub-rule (2) of Rule 55, the following further proviso shall be added :—

"Provided further that when a Market Committee is established for the first time, such commission agent shall make an application to the Chief Marketing Officer and on executing such agreement and tendering such fees as that officer may determine shall be entitled to have his name registered as a trader."

MAHOMED ISMAIL SHERIFF, *Genl. Secy.*

Printed by the Superintendent at the Government Press, Bangalore.

NOTIFICATION.

No. R. L. 166—Legis. 7-46-1, dated Bangalore, the 30th July 1946.

Ordered that the accompanying Mysore War Risks (Goods) Insurance (Termination) Act, 1946, which received the assent of His Highness the Maharaja, on the 21st day of July 1946, be published as Act No. XXX of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. XXX OF 1946.

THE MYSORE WAR RISKS (GOODS) INSURANCE (TERMINATION) ACT, 1946.

(Received the assent of His Highness the Maharaja on the Twenty-first day of July 1946).

An Act to terminate the War Risks (Goods) Insurance Scheme.

WHEREAS it is expedient to terminate the War Risks (Goods) Insurance Scheme.

It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Mysore War Risks (Goods) Insurance (Termination) Act, 1946.

(2) It shall come into force at once.

Repeal of Sections 5 and 6, Act VII of 1943.

2. Section 5 and Section 6 of the Mysore War Risks (Goods) Insurance Act, 1943, are repealed with effect at and after midnight between the 30th day of September and the 1st day of October 1945.

Repeal of Act XXXIV of 1945.

3. The Mysore War Risks (Goods) Insurance (Termination) (Emergency) Act, 1945, continued by the Mysore War Risks (Goods) Insurance (Termination) (Emergency Continuance) Act, 1946 (XX of 1946), is hereby repealed.

N. MADHAVA RAU,
Dewan.

Price : 0-0-6

Printed by the Superintendent at the Government Press, Bangalore.

NOTIFICATION.

Order No. R. L. 167—Legis. 8-16-1, dated 30th July 1946.

Ordered that the accompanying Mysore Motor Vehicles and Road Traffic (Second Amendment) Act, 1946 which received the assent of His Highness the Maharaja, on the 21st day of July 1946, be published as Act No. XXXI of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,

Legal Remembrancer and Secretary to Government, Law Department.

ACT No. XXXI OF 1946.

THE MYSORE MOTOR VEHICLES AND ROAD TRAFFIC (SECOND AMENDMENT) ACT, 1946.

(Received the assent of His Highness the Maharaja on the Twenty-first day of July 1946.)

WHEREAS it is expedient further to amend the Mysore Motor Vehicles and Road Traffic Act, 1944 (XXVII of 1944);

It is hereby enacted as follows:—

Short title.

1. This Act may be called the Mysore Motor Vehicles and Road Traffic (Second Amendment) Act, 1946.

Amendment of section 40 of Act XXVII, 1944.

2. In sub-section (2) of section 40 of the Mysore Motor Vehicles and Road Traffic Act, 1944 (hereinafter referred to as the said Act), for the words "but no person who has any financial interest," the words "but no non-official who has any financial interest" and for the words "if any person being a member," the words "if any such person being a member" shall be substituted.

Amendment of section 45 of Act XXVII, 1944.

3. In section 45 of the said Act for the words "but no person who has any financial interest," the words "but no non-official who has any financial interest," and for the words "if any person being a member" the words "if any such person being a member" shall be substituted.

Repeal and savings.

4. The Mysore Motor Vehicles and Road Traffic (Second Amendment) (Emergency) Act, 1946 (XVIII of 1946) is hereby repealed. But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Emergency Act, shall be deemed to have been made, done or taken in exercise of powers conferred by or under this Act as if this Act had commenced on the 29th day of April 1946.

N. MADHAVA RAU,
Dewan

Price : 0-0-6.

Printed by the Superintendent at the Government Press, Bangalore.

14

NOTIFICATION.

No. R. L. 175—Legis. 9-46-1, dated Bangalore, the 3rd August 1946.

Ordered that the accompanying Mysore Motor Vehicles and Road Traffic (Third Amendment) Act, 1946, which received the assent of His Highness the Maharaja, on the 29th day of July 1946, be published as Act No. XXXII of 1946, in the *Mysore Gazette*, for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XXXII OF 1946.

THE MYSORE MOTOR VEHICLES AND ROAD TRAFFIC (THIRD AMENDMENT) ACT, 1946.

(Received the assent of His Highness the Maharaja on the 29th day of July 1946.)

WHEREAS it is expedient further to amend the Mysore Motor Vehicles and Road Traffic Act, 1944;

It is hereby enacted as follows:—

Short title and Commencement.

1. (*1*) This Act may be called the Mysore Motor Vehicles and Road Traffic (Third Amendment) Act, 1946.

(*2*) It shall come into force on and from the 1st day of July 1946.

2. After section 77 of the Mysore Motor Vehicles and Road Traffic Act, 1944, the following Chapter, Heading and Sections shall be inserted, namely,—

CHAPTER VII-A.

INSURANCE OF MOTOR VEHICLES AGAINST THIRD PARTY RISKS.

77-A. In this Chapter—

Definitions.

(*a*) "authorised insurer" means an insurer in whose case the requirements of either the Insurance Act, 1939, or any enactment in force in British India or any other Indian State containing the like requirements, with respect to the registration of and deposits by insurers are complied with, and includes any insurance business carried on by the Government, and

(*b*) "certificate of insurance" means a certificate issued by an authorised insurer in pursuance of sub-section (*4*) of section 77-C ; and includes a cover note complying with such requirements as may be prescribed and where more than one certificate has been issued in connection with a policy, or where a copy of a certificate has been issued, all those certificates or that copy, as the case may be.

Necessity for insurance against third party risk.

77-B. (*1*) No person shall use except as a passenger or cause or allow any other person to use a motor vehicle in a public place, unless there is in force in relation to the use of the vehicle by that person or that other person, as the case may be, a policy of insurance complying with the requirements of this Chapter.

Explanation.—A person driving a motor vehicle merely as a paid employee, while there is in force in relation to the use of the vehicle no such policy as is required by this sub-section, shall not be deemed to act in contravention of the sub-section unless he knows or has reason to believe that there is no such policy in force.

(*2*) This section shall not apply,

(*a*) to any vehicle owned by His Highness the Maharaja or His Highness' immediate relations or owned by or on behalf of the Government or a local authority notified in this behalf by the Government or by the State Railway ;

(*b*) subject to any prescribed conditions, to any vehicle owned by any Government in British India or by the Government of or by the Crown Representative in, any Indian State or of the French or the Portuguese Settlements bounded by India or of such local authority in British India or an Indian State as may be notified in this behalf by any Government in British India or by the Government of any Indian State, as the case may be.

Requirements of policies and limits of liability.

77-C. (*1*) In order to comply with the requirements of this Chapter, a policy of insurance must be a policy which—

(*a*) is issued by a person who is an authorized insurer, and

(*b*) insures the person or classes of persons specified in the policy to the extent specified in sub-section (*2*) against any liability which may be incurred by him or them in respect of the death of or bodily injury to any person caused by or arising out of the use of the vehicle in a public place :

Provided that a policy shall not, except as may be otherwise provided under sub-section (*3*), be required—

(i) to cover liability in respect of the death, arising out of and in the course of his employment, of the employee of a person insured by the policy or in respect of bodily injury sustained by such an employee arising out of and in the course of his employment ; or

(ii) except where the vehicle is a vehicle in which passengers are carried for hire or reward or by reason of or in pursuance of a contract of employment, to cover liability in respect of

the death of or bodily injury to persons being carried in or upon or entering or mounting or alighting from the vehicle at the time of the occurrence of the event out of which a claim arises ; or

(iii) to cover any contractual liability.

(*2*) Subject to the proviso to sub-section (*1*), a policy of insurance shall cover any liability incurred in respect of any one accident up to the following limits, namely :—

(a) where the vehicle is a vehicle used or adapted to be used for the carriage of goods, a limit of twenty thousand rupees ;

(b) where the vehicle is a vehicle in which passengers are carried for hire or reward or by reason of or in pursuance of a contract of employment, in respect of persons other than passengers carried for hire or reward, a limit of twenty thousand rupees ; and in respect of passengers a limit of twenty thousand rupees in all, and four thousand rupees in respect of an individual passenger, if the vehicle is registered to carry not more than six passengers excluding the driver or two thousand rupees in respect of an individual passenger, if the vehicle is registered to carry more than six passengers excluding the driver ;

(c) where the vehicle is a vehicle of any other class, the amount of the liability incurred.

(*3*) The Government may prescribe that a policy of insurance shall, in order to comply with the requirements of this Chapter, cover any liability arising under the provisions of the Workmen's Compensation Act, 1928, in respect of the death of or bodily injury to any paid employee engaged in driving or otherwise in attendance on or being carried in a motor vehicle.

(*4*) A policy shall be of no effect for the purposes of this Chapter unless and until there is issued by the insurer in favour of the person by whom the policy is effected a certificate of insurance or a cover note in the prescribed form and containing the prescribed particulars of any conditions subject to which the policy is issued and of any other prescribed matters ; and different forms particulars and matters may be prescribed in different cases.

(*5*) Notwithstanding anything elsewhere contained in any law, a person issuing a policy of insurance under this section shall be liable to indemnify the person or classes of persons specified in the policy in respect of any liability which the policy purports to cover in the case of that person or those classes of persons.

Duty of insurers to satisfy judgments against persons insured in respect of third party risks.

77-D. (*1*) If, after a certificate of insurance or a cover note has been issued under sub-section (*4*) of section 77-C in favour of the person by whom a policy has been effected, judgment in respect of any such liability as is required to be covered by a policy under clause (*b*) of sub-section (*1*) of section 77-C (being a liability covered by the terms of the policy) is obtained against any person insured by the policy, then, notwithstanding that the insurer may be entitled to

avoid or cancel or may have avoided or cancelled the policy, the insurer shall, subject to the provisions of this section pay to the person entitled to the benefit of the decree any sum not exceeding the sum assured payable thereunder, as if he were the judgment-debtor, in respect of the liability, together with any amount payable in respect of costs and any sum payable in respect of interest on that sum by virtue of any enactment relating to interest on judgments.

(*2*) No sum shall be payable by an insurer under sub-section (*1*) in respect of any judgment unless before or after the commencement of the proceedings in which the judgment is given, the insurer had notice through the Court of the bringing of the proceedings, or in respect of any judgment so long as execution is stayed thereon pending an appeal; and an insurer to whom notice of the bringing of any such proceedings is so given shall be entitled to be made a party thereto and to defend the action on any of the following grounds, namely,—

(a) that the policy was cancelled by mutual consent or by virtue of any provision contained therein before the accident giving rise to the liability, and that either the certificate of insurance was surrendered to the insurer or that the person to whom the certificate was issued has made an affidavit stating that the certificate has been lost or destroyed, or that either before or not later than fourteen days after the happening of the accident the insurer has commenced proceedings for cancellation of the certificate after compliance with the provisions of section 77-M; or

(b) that there has been a breach of a specified condition of the policy, being one of the following conditions, namely,—

(*i*) a condition excluding the use of the vehicle—

(a) for hire or reward, where the vehicle is on the date of the contract of insurance a vehicle not covered by a permit to ply for hire or reward; or

(b) for organized racing and speed testing; or

(c) for a purpose not allowed by the permit under which the vehicle is used, where the vehicle is a public service vehicle or a goods vehicle; or

(d) without side-car being attached, where the vehicle is a motor cycle; or

(*ii*) a condition excluding driving by a named person or persons or by any person who is not duly licensed or by any person who has been disqualified for holding or obtaining a driving license during the period of disqualification; or

(*iii*) a condition excluding liability for injury caused or contributed to by conditions of war, civil war, riot or civil commotion; or

(c) that the policy is void on the ground that it was obtained by the non-disclosure of a material fact or by a representation of fact which was false in some material particular.

(*3*) Where a certificate of insurance or cover note has been issued under sub-section (*4*) of section 77-C to the person by whom a policy has been effected, so much of the policy as purports to restrict the insurance of the

persons insured thereby by reference to any conditions other than those in clause (b) of sub-section (*2*) shall, as respects such liabilities as are required to be covered by a policy under clause (b) of sub-section (*1*) of section 77-C be of no effect:

Provided that any sum paid by the insurer in or towards the discharge of any liability of any person which is covered by the policy by virtue only of this sub-section shall be recoverable by the insurer from that person.

(*4*) If the amount which an insurer becomes liable under this section to pay in respect of a liability incurred by a person insured by a policy, exceeds the amount for which the insurer would, apart from the provisions of this section, be liable under the policy in respect of that liability, the insurer shall be entitled to recover the excess from that person.

(*5*) In this section the expressions "material fact" and "material particular" mean, respectively, a fact or particular of such a nature as to influence the judgment of a prudent insurer in determining whether he will take the risk and, if so, at what premium and on what conditions, and the expression "liability covered by the terms of the policy" means a liability which is covered by the policy or which would be so covered but for the fact that the insurer is entitled to avoid or cancel or has avoided or cancelled the policy.

(*6*) No insurer to whom the notice referred to in sub-section (*2*) has been given, shall be entitled to avoid his liability to any person entitled to the benefit of any such judgment as is referred to in sub-section (*1*) otherwise than in the manner provided for in sub-section (*2*).

Rights of third parties against insurers on insolvency of the insured.

77-E. (*1*) Where under any contract of insurance effected in accordance with the provisions of this Chapter a person is insured against liabilities which he may incur to third parties, then—

(a) in the event of the person becoming insolvent or making a composition or arrangement with his creditors, or

(b) where the insured person is a company, in the event of a winding up order being made or a resolution for a voluntary winding up being passed with respect to the company or of a receiver or manager of the company's business or undertaking being duly appointed or of possession being taken by or on behalf of the holders of any debentures secured by a floating charge of any property comprised in or subject to the charge,

if, either before or after that event, any such liability is incurred by the insured person, his rights against the insurer under the contract in respect of the liability shall, notwithstanding anything to the contrary in any provision of law, be transferred to and vest in the third party to whom the liability was so incurred.

(*2*) Where an order for the administration of the estate of a deceased debtor is made according to the law of insolvency, then if any debt provable in insolvency is owing by the deceased in respect of a liability to a third party against which he was insured under a contract of insurance in accordance with the provisions of this Chapter, the deceased debtor's rights against the insurer in respect of that liability shall, notwithstanding anything to the contrary in any provision of law, be transferred to and vest in the person to whom the debt is owing.

(*3*) Any condition in a policy issued for the purposes of this Chapter purporting either directly or indirectly to avoid the policy or to alter the rights of the parties thereunder upon the happening to the insured person of any of the events specified in clause (a) or clause (b) of sub-section (*1*) or upon the making of an order for the administration of the estate of a deceased debtor according to the law of insolvency, shall be of no effect.

(*4*) Upon a transfer under sub-section (*1*) or sub-section (*2*) the insurer shall be under the same liability to the third party as he would have been to the insured person, but—

(*a*) if the liability of the insurer to the insured person exceeds the liability of the insured person to the third party, nothing in this Chapter shall affect the rights of the insured person against the insurer in respect of the excess, and

(*b*) if the liability of the insurer to the insured person is less than the liability of the insured person to the third party, nothing in this Chapter shall affect the rights of the third party against the insured person in respect of the balance.

Duty to give information as to insurance.

77-F. (*1*) No person against whom a claim is made in respect of any liability referred to in clause (b) of sub-section (*1*) of section 77-C shall on demand by or on behalf of the person making the claim refuse to state whether or not he was insured in respect of that liability by any policy issued under the provisions of this Chapter, or would have been so insured if the insurer had not avoided or cancelled the policy, nor shall he refuse, if he was or would have been so insured, to give such particulars with respect to that policy as were specified in the certificate of insurance issued in respect thereof.

(*2*) In the event of any person becoming insolvent or making a composition or arrangement with his creditors or in the event of an order being made for the administration of the estate of a deceased person according to the law of insolvency, or in the event of a winding up order being made or a resolution for a voluntary winding up being passed with respect to any company or of a receiver or manager of the company's business or undertaking

being duly appointed or of possession being taken by or on behalf of the holders of any debentures secured by a floating charge on any property comprised in or subject to the charge, it shall be the duty of the insolvent-debtor, personal representative of the deceased debtor or company, as the case may be, or the official assignee or receiver in insolvency, trustee, liquidator, receiver or manager, or person in possession of the property to give at the request of any person claiming that the insolvent-debtor, deceased debtor or company is under such liability to him as is covered by the provisions of this Chapter, such information as may reasonably be required by him for the purpose of ascertaining whether any rights have been transferred to and vested in him by section 77-E and for the purpose of enforcing such rights, if any; and any such contract of insurance as purports whether directly or indirectly to avoid the contract or to alter the rights of the parties thereunder upon the giving of such information in the events aforesaid, or otherwise to prohibit or prevent the giving thereof in the said event shall be of no effect.

(*3*) If, from the information given to any person in pursuance of sub-section (*2*) or otherwise, he has reasonable ground for supposing that there have or may have been transferred to him under this Chapter rights against any particular insurer, that insurer shall be subject to the same duty as is imposed by the said sub-section on the persons therein mentioned.

(*4*) The duty to give the information imposed by this section shall include a duty to allow all contracts of insurance, receipts for premiums, and other relevant documents in the possession or power of the person on whom the duty is so imposed to be inspected and copies thereof to be taken.

Settlement between insurers and insured persons.

77-G. (*1*) No settlement made by an insurer in respect of any claim which might be made by a third party in respect of any liability of the nature referred to in clause (b) of sub-section (*1*) of section 77-C, shall be valid unless such third party is a party to the settlement.

(*2*) Where a person who is insured under a policy issued for the purpose of this Chapter has become insolvent, or where, if such insured person is a company, a winding up order has been made or a resolution for a voluntary winding up has been passed with respect to the company, no agreement made between the insurer and the insured person after liability has been incurred to a third party and after the commencement of the insolvency or winding

up, as the case may be, nor any waiver, assignment or other disposition made by or payment made to the insured person after the commencement aforesaid shall be effective to defeat the rights transferred to the third party under this Chapter, but those rights shall be the same as if no such agreement, waiver, assignment or disposition or payment has been made.

Saving in respect of Sections 77-E, 77-F and 77-G.

77-H. (*1*) For the purpose of sections 77-E, 77-F and 77-G, a reference to "liabilities to third parties" in relation to a person insured under any policy of insurance shall not include a reference to any liability of that person in the capacity of insurer under some other policy of insurance.

(*2*) The provisions of sections 77-E, 77-F and 77-G shall not apply where a company is wound up voluntarily merely for the purpose of reconstruction or of an amalgamation with another company.

Insolvency of insured persons not to affect liability of insured or claims by third parties.

77-I. Where a certificate of insurance had been issued to the person by whom a policy has been effected, the happening in relation to any person insured by the policy of any such event as is mentioned in sub-section (*1*) or sub-section (*2*) of Section 77-E shall, notwithstanding anything in this Chapter, not affect any liability of that person of the nature referred to in clause (*b*) of sub-section (*1*) of Section 77-C; but nothing in this section shall affect any rights against the insurer conferred under the provisions of sections 77-E, 77-F and 77-G on the person to whom the liability was incurred.

Effect of death on certain causes of action.

77-J. Notwithstanding anything contained in any law relating to succession, the death of a person in whose favour a certificate of insurance or cover note had been issued, if it occurs after the happening of an event which has given rise to a claim under the provisions of this Chapter, shall not be a bar to the survival of any cause of action arising out of the said event against his estate or against the insurer.

Effect of certificate of insurance.

77-K. When an insurer has issued a certificate of insurance in respect of a contract of insurance between the insurer and the insured person, then—

(*a*) if and so long as the policy described in the certificate, has not been issued by the insurer to the insured, the insurer shall as between himself and any other person except the insured, be deemed to have issued to the insured persons a policy of insurance conforming in all respects to the description and particulars stated in such certificate, and

(*b*) if the insurer has issued to the insured the policy described in the certificate, but the actual terms of the policy are less favourable to persons claiming under or by virtue of the policy against the insurer either directly or through the insured than the particulars of the policy as stated in the certificate, the policy shall, as between the insurer and any other person except the insured, be deemed to be in terms conforming in all respects to the particulars stated in the said certificate.

Duty to surrender certificate on cancellation of policy.

77-L. (*1*) Whenever the period of cover under a policy of insurance issued under the provisions of this Chapter is terminated or suspended by any means before its expiration by effluxion of time, the insured person shall within seven days after such termination or suspension deliver to the insurer by whom the policy was issued the latest certificate of insurance given by the insurer in respect of the said policy, or if the said certificate has been lost or destroyed, make an affidavit to that effect.

(*2*) Whoever fails to surrender a certificate of insurance or to make an affidavit, as the case may be, in accordance with the provisions of this section, shall be punishable with fine which may extend to fifteen rupees for every day that the offence continues subject to a maximum of five hundred rupees.

Duty of insurer to notify Registering Authority cancellation or suspension of the policy.

77-M. Whenever a policy of insurance issued under the provision of this Chapter is cancelled or suspended by the insurer who has issued the policy, the insurer shall within seven days notify such cancellation or suspension to the registering authority or to such other authority as the Government may prescribe.

Production of certificate of insurance.

77-N. (*1*) Any person driving a motor vehicle in any public place shall, on being so required by a police officer in uniform, produce the certificate of insurance relating to the use of the vehicle:

Provided that if the driver of a motor vehicle, within seven days from the date on which the production of the certificate of insurance was so required, produces the certificate at such police station as may have been specified by him at the time its production was required, he shall not be liable to conviction under this sub-section by reason only of failure to produce the certificate to the police officer.

(*2*) If, where owing to the presence of a motor vehicle in a public place, an accident occurs involving bodily injury to another person, the driver of the vehicle does not at the time produce the certificate of insurance to a police officer, he shall produce the certificate of

insurance at the police station at which he makes the report required by section 74:

Provided that no person shall be liable to conviction under this sub-section by reason only of failure to produce his certificate of insurance if, within seven days from the occurrence of the accident, he produces the certificate at such police station as may be specified by him to the police officer at the site of the accident or to the officer in charge of the police station at which he reported the accident.

(*3*) The owner of a motor vehicle shall give such information as he may be required by or on behalf of a police officer empowered in this behalf by the Government to give for purpose of determining whether the vehicle was or was not being driven in contravention of section 77-B and on any occasion when the driver was required under this section to produce his certificate of insurance.

(*4*) In this section the expression 'produce his certificate of insurance' means produce for examination the relevant certificate of insurance or such other evidence as may be prescribed that the vehicle was not being driven in contravention of section 77-B.

Production of certificate of insurance on application for authority to use vehicle.

77-O. The Government may make rules requiring the owner of any motor vehicle, when applying, whether by payment of a tax or otherwise, for authority to use the vehicle in a public place, to produce such evidence as may be prescribed by those rules to the effect that either—

(*a*) on the date when the authority to use the vehicle comes into operation there will be in force the necessary policy of insurance in relation to the use of the vehicle by the applicant or by other persons on his order or with his permission, or

(*b*) the vehicle is a vehicle to which section 77-B does not apply.

Co-operative insurance.

77-P. (*1*) The Government may, on the application of a co-operative society of public service vehicle owners registered or deemed to have been registered under the Co-operative Societies Act, 1918, and subject to the control of the Registrar of Co-operative Societies, allow the society to transact the business of an insurer for the purposes of this Chapter as if the society were an authorised insurer, subject to the following conditions, namely:—

(a) the society shall establish and maintain a fund of not less than twenty-five thousand rupees for the first fifty vehicles or fractional part thereof and *pro rata* for every additional vehicle in the possession of members of the society and the said fund shall be lodged

in such custody as the Government may prescribe and shall not be available for meeting claims or other expenses except in the event of the winding up of the society ;

(b) the liability of the society shall be limited as specified in clause (a) of sub-section (2) of section 77-C ;

(c) the society shall, if required by the Government, re-insure against claims above a prescribed amount ;

(d) the provisions of this Chapter, in so far as they relate to the protection of third parties and to the issue and production of certificates, shall apply in respect of any insurance effected by the society ;

(e) an independent authority not associated with the society shall be appointed by the Government to facilitate and assist in the settling of claims against the society ;

(f) the society shall operate on an insurance basis, that is to say :

(*i*) it shall levy its premiums in respect of a period not exceeding 12 months, during which period the insured shall be held covered in respect of all accidents arising, subject to the limits of liability, specified in clause (b) of sub-section (2) of section 77-C ;

(*ii*) it shall charge premiums estimated to be sufficient having regard to the risks, to meet the capitalised value of all claims arising during the period of cover, together with an adequate charge for expenses attaching to the issue o policies and to the settlement of claims arising thereunder ;

(g) the society shall furnish to the Superintendent of Insurance the returns required to be furnished by insurers under the provisions of the Insurance Act, 1939, and the Superintendent of Insurance may exercise in respect thereof any of the powers exercisable by him in respect of returns made to him under the said Act; and

(h) any provisions of law applicable to the winding up of authorised insurers shall be equally applicable to the society.

(*2*) Except as provided in sub-section (*1*), the Insurance Act, 1939, shall not apply to any co-operative society of public service vehicle owners allowed to transact the business of an insurer under this section.

Duty of furnishing particulars of vehicle involved in accident.

77-Q. The registering authority or the officer in charge of a police station shall, if so required by a person who alleges that he is entitled to claim compensation in respect of an accident arising out of the use of a motor vehicle, or if so required by an insurer against whom a claim has been made in respect of any motor vehicle, furnish to that person or to that insurer, as the case may be, on payment of the prescribed fee, any information at the disposal of the said authority or the said police officer relating to the identification marks and other particulars of the vehicle and the name and address of the person who was using the vehicle at the time of the accident or was insured by it.

Repeal and savings.

3. The Mysore Motor Vehicles and Road Traffic (Third Amendment) (Emergency) Act, 1946, (XIX of 1946) is hereby repealed. But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Emergency Act, shall be deemed to have been made, done or taken in exercise of powers conferred by or under this Act, as if this Act had commenced on the 24th day of May 1946.

N. MADHAVA RAU,
Dewan.

Price : 0-1-6

Printed by the Superintendent at the Government Press, Bangalore.

Regd. No. M 1175.

The Mysore Gazette

PUBLISHED BY AUTHORITY

(SUPPLEMENTAL.)

BANGALORE, THURSDAY, AUGUST 8, 1946.

NOTIFICATION.

No. SD. 1122—R. 145-45-10, Dated Bangalore, 7th August 1946.

In exercise of the powers conferred by rules 81 and 116 of the Defence of India Rules as applied to Mysore and of all other powers enabling them in this behalf, the Government of His Highness the Maharaja are pleased to make the following Order and to direct with reference to sub-rule (i) of Rule 119 of the said rules that notice of this Order shall be given by the publication of the same in the *Mysore Gazette* and by the issue of a press note indicating the nature of the Order:—

The Mysore Ration Census Order, 1946.

1. (*a*) This order shall be called "The Mysore Ration Census Order, 1946."

(*b*) It extends to the whole of Mysore and it shall come into force at once.

2. In this order, unless there is anything repugnant in the subject or context:

(*a*) "Census Officer" means an Officer appointed by the Government for the purpose of collecting information and statistics necessary for purposes of Rationing or better regulation of Rationing of essential commodities in any area under Rule 3 (*a*) of this order and includes any other person appointed under Rule 3 (*b*) hereunder.

(*b*) "Rationing Officers" means Chief Rationing Officers and includes officers appointed by Government to regulate the distribution of essential commodities in specified areas.

(*c*) "Census Programme" means such programme of events in connection with the collection of the information and statistics required, as the Chief Ration Census Officer may publish, by notification in the Official Gazette, or otherwise, in the area.

(*d*) "House-holder" means the head of the family or, in his absence from the premises at the time of the visit of the Census Officer, as per the Census Programme, the eldest member of the family present on the premises.

(*e*) "Person in charge of an establishment" means the Manager of an establishment such as Hostel, Hospital, Hotel, or Restaurant and the like, and includes, in his absence from the premises, at the time of the visit of the Census Officer, as per the Census Programme, the senior-most member of the establishment in immediate charge, present on the premises.

(*f*) "Family" means and includes a group of persons living together permanently and having their meals in common.

Explanation.—A person who is not expected to reside within the family for a period longer than three months shall not be deemed to be a permanent member of the family.

(*g*) "Child" means a person who has not completed his or her eighth year.

(*h*) "Adult" means a person who is not a child.

3. (*a*) Government may, for purposes of carrying out the objects of this order, by notification in the Official Gazette appoint a "Chief Ration Census Officer," who shall be subordinate to the Director of Food Supplies which term includes Additional Director of Food Supplies.

(*b*) The Chief Ration Census Officer may, by order in writing, appoint Census Officers to assist him in the discharge of his duties under this order and on such appointment, the person so appointed, shall, unless prevented by reasonable cause, perform the duties allotted to him, by the Chief Ration Census Officer to the best of his ability.

4. The Chief Ration Census Officer may authorise any Census Officer in respect of any area within the limits of his jurisdiction, to paint on, or affix to, any premises in that area, such letters, marks or numbers as may be necessary for facilitating their identification.

5. (*a*) The Chief Ration Census Officer may, with a view to arrange for rationing of essential commodities, or for better regulation of such rationing, wherever it is already in force, call upon every house-holder or person in charge of an establishment, to furnish information and statistics, in such form or forms, and in conformity with such programme as may be prescribed by him, from time to time, by notification in the Official Gazette.

(*b*) Thereupon, every house-holder or person in charge of an establishment, as the case may be, shall furnish to the Census Officer, true and correct information in respect of all the matters specified, in the forms prescribed, and in conformity with the Census Programme.

6. Every person of whom questions are asked by any Census Officer, for the purpose of collecting information and statistics necessary for rationing, or better regulation of rationing, of essential commodities, shall be legally bound to answer such questions to the best of his knowledge and belief, and if so required by the Census Officer, to answer such questions in writing, with his signature or thumb impression affixed thereto, in the form, if any, and within the time prescribed by the Chief Ration Census Officer.

7. (*a*) Every house-holder shall allow the Census Officer such access into his premises as is reasonably necessary for the purpose of ascertaining the correctness of the information furnished by him.

(*b*) Every person in charge of an establishment shall allow the Census Officer such access into his premises, or inspection of his account books, as may be necessary, for the purpose of ascertaining the correctness of the information furnished by him.

8. No person shall remove, obliterate, or alter, or damage, before such Census date as the Chief Ration Census Officer may prescribe, by notification in the Official Gazette, any letters, marks or numbers which have been painted on or affixed to the premises by any Census Officer.

9. The Chief Ration Census Officer shall publish, by notification in the Official Gazette or otherwise in the locality, beforehand, a programme of events in connection with the Census.

10. Every Census Officer shall be bound to ascertain, as far as possible, the truth or otherwise of the information furnished by the house-holder or the person in charge of an establishment and enter under his or her signature, in the form prescribed, the result of such verification, provided that where the presence of lady inmates of any house or establishment is to be verified, only Lady Census Officers may satisfy themselves regarding their actual presence.

11. Any Rationing Officer appointed or any officer duly authorised in this behalf by the Government, may fix rations on the basis of information and statistics collected or alter the quantity already allowed, to any house-holder or person in charge of an establishment, by issue of new ration cards or permits, or making alterations in such cards or permits if any, already issued.

12. No Census Officer shall knowingly make any false return in connection with an enquiry conducted by him.

13. In areas where rationing of articles or things essential to the life of the community, is already in force,:

(1) Every house-holder or person in charge of an establishment, shall be legally bound—

(*a*) to furnish, in cases where any of the members of the house-hold or establishment, is already drawing rations, on the date of the commencement of the Census Programme, on ration cards or permits, other than the one in the name of the house-holder or the establishment, such ration card or cards, or permit or permits, under which rations are being so drawn, or give the numbers thereof, whenever required, by any Census Officer or the Rationing Officer.

(2) On and after the date on which the existing ration cards or permits are declared *null* and *void*, by the Chief Ration Census Officer, no person shall issue any rationed commodity on the basis of any such obsolete ration card or permit.

14. Any contravention of any direction contained in this Order shall be deemed to be a contravention punishable under Rule 81 (4) of the Defence of India Rules as applied to Mysore, with imprisonment for a term which may extend to three years, or with fine, or with both.

15. Order No. 1 issued with Notification No. S. D. 2182—C. 84-43, dated the 1st October 1943, under the title "Mysore Ration Census Order" is hereby repealed.

Provided, however, that any rules made, anything done or any action taken in exercise of any power conferred by or under the above-said Order shall be deemed to have been made, done or taken in exercise of the powers conferred by or under this Order, as if this Order had commenced on the 1st of October 1943.

K. SRINIVASAN, *Secy., Food Dept.*

Printed by the Superintendent at the Government Press, Bangalore.

NOTIFICATION.

Order No. Rl. 228—Legis. 10-46-1, dated Bangalore, the 5th September 1946.

Ordered that the accompanying Mysore Motor Vehicles and Road Traffic (Fourth Amendment) (Emergency) Act, 1946, which received the assent of His Highness the Maharaja, on the 29th day of August 1946, be published as Act No. XXXIII of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT NO. XXXIII OF 1946.)

THE MYSORE MOTOR VEHICLES AND ROAD TRAFFIC (FOURTH AMENDMENT) (EMERGENCY) ACT, 1946.

(*Received the assent of His Highness the Maharaja on the 29th day of August 1946.*)

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action further to amend the Mysore Motor Vehicles and Road Traffic Act, 1944 (XXVII of 1944);

NOW THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Mysore Motor Vehicles and Road Traffic (Fourth Amendment) (Emergency) Act, 1946.

(2) It shall come into force at once.

Amendment of Section 2, Act XXVII of 1944.

2. In item (12) of section 2 of the Mysore Motor Vehicles and Road Traffic Act, 1944 (hereinafter referred to as the said Act) for the word and figure "section 21" the word and figure "section 20' shall be substituted.

Amendment of section 11, Act XXVII of 1944.

3. In sub-section (1) of section 11 of the said Act, after the words "under the provisions of this Act" the words "or the Indian Motor Vehicles Act, 1939, as applied to the Civil and Military Station, Bangalore" shall be inserted.

Amendment of section 27, Act XXVII of 1944.

4. To sub-section (1) of section 27 of the said Act, the following proviso shall be added, namely :—

"Provided that on the issue of a notification by the Government in this behalf, a motor vehicle registered in the Civil and Military Station, Bangalore, shall not be kept in Mysore for a period exceeding three months unless the owner applies to the registering authority in Mysore for the assignment of a new registration mark and surrenders the certificate of registration to that registering authority."

Amendment of section 38, Act XXVII of 1944.

5. In sub-section (3) of section 38 of the said Act, the following clause shall be added at the end, namely,—

"(n) on the issue of a notification by the Government in this behalf and subject to prescribed conditions, to any transport vehicle registered under the Indian Motor Vehicles Act, 1939, as applied to the Civil and Military Station, Bangalore, and in respect of which a valid permit has been issued by a competent authority in the said station."

A. RAMASWAMI MUDALIAR,
Dewan.

Printed by the Superintendent at the Government Press, Bangalore.

Regd. No. M. 1175.

The Mysore Gazette

PUBLISHED BY AUTHORITY

Vol. 81] BANGALORE, THURSDAY, SEPT. 5, 1946 [No. 36

PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. S. D. 2092—C. 117-44-115, dated Bangalore, the 28th August 1946.

In exercise of the powers conferred by rule 81 (2) of the Defence of India Rules, as applied to Mysore, the Government of His Highness the Maharaja are pleased to direct that where a permit is issued by the Special Officer, Fuel Supply, Bangalore City, under Notification No. S. D. 154—C. 122-43-28, dated 10th July 1944, as amended by Notification No. S. D. 2923—C. 24-45-35, dated 12—13th November 1945, in any case falling within one of the categories specified in the schedule annexed hereto, then it will not be necessary in such a case to obtain also a pass from the Amildar of the concerned taluk as required by Notification No. G. 1568—Ft. 138-33-3, dated 21st—27th August 1935 (regulating the transit in Mysore of timber, fuel or charcoal and bamboos from inam lands or private holdings other than coffee lands) and the permit issued by the Special Officer, Fuel Supply, shall be deemed to be a pass for the purposes of the Notification dated 21st 27th August 1935.

They are further pleased to direct with reference to sub-rule (1) of Rule 119 of the said rules that notice of this order shall be given by the publication of the same in the official Gazette.

Schedule.

(1) For the transport of charcoal (made from material obtained from private holdings and not from Government lands) for delivery to the Special Officer, Fuel Supply.

(2) For the transport of casuarina firewood from requisitioned private plantations, the consignee being the Special Officer, Fuel Supply, or the Bangalore Fuel Supply and Transport Co., Ltd.

(3) For the transport of Fuel (Casuarina or jungle wood) from private holdings voluntarily offered to the Special Officer, Fuel Supply or the Bangalore Fuel Supply and Transport Co., Ltd.

(4) For the transport of brushwood from requisitioned casuarina plantations referred to in (2) above.

K. SRINIVASAN, *Food Secy.*

No. C. 872—C. O. 10-46-2, dated Bangalore, the 28th August 1946.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore, the Government of His Highness the Maharaja are pleased to make the following order, and to direct with reference to sub-rule (1) of rule 119 of the said rules that notice of the order shall be given by the publication of the same in the gazette and by the issue of a Press note summarising and explaining its provisions :—

1. This Order may be called the Cotton Textiles (Control of Movement) order 1946.

(*ii*) It shall come into force at once.

2. In this order, unless there is anything repugnant in the subject or the context :—

(*a*) " Apparel " includes a garment or other article of personal or domestic use made wholly or principally from cloth other than knitted cloth, but does not include old or used garments ;

(*b*) " Carrier " includes a railway administration or any other person engaged in the business or transporting property from place to place by land, sea or inland navigation ;

(*c*) " Hosiery " means stockings vests, drawers, or other articles, of personal use made from knitted cloth or knitted from yarn ;

(*d*) " Cloth " and " Yarn " have the same meaning as they have in the Cotton Cloth and Yarn (Control) order, 1945 ;

(*e*) "Textile Commissioner" means the Textile Commissioner Bombay, and includes the Additional Textile Commissioner, Mysore and any officer authorised by him to execise all or any of the powers of the Textile Commissioner under this order.

3. No person shall offer for transport by rail, or cause to be transported by rail, any cloth or apparel except under and in accordance with—

(*i*) a general permit notified in Gazette by the Textile Commissioner; or

(*ii*) a special permit issued by the Textile Commissioner and countersigned by the Regional Controller of Railway priorities Mysore or.

(*iii*) a special transport permit issued by the Textile Commissioner.

4. No person shall transport or cause to be transported any yarn by rail, road, sea or inland navigation except under and in accordance with :—

(*i*) a general permit notified by the Textile Commissioner in the gazette or

(*ii*) a special permit granted by the Textile Commissioner.

5. The Textile Commissioner may, by order in writing, direct any carrier to close the booking and transport of cloth, apparel or yarn or any class or description thereof by rail, road, sea or inland navigation between such places and for such period as may be specified in the order, and such carrier shall comply with the order.

6. The Textile Commissioner may, by notification published in the gezette, prohibit the transport of cloth, apparel, hosiery or yarn or any class or description thereof from any place within such area as is specified in the notification to any place outside that area by rail, road, sea or inland navigation except under such conditions, limitations and restrictions as may be so specified.

7. A carrier may require any person offering any package for transport to make a statement in writing declaring its contents, and may refuse to accept for transport any package, unless such declaration of its contents is made.

8. The Textile Commissioner may with a view to securing compliance with the provisions of this order—

(*a*) require any person to give information in his possession with respect to any stock of cloth, yarn, apparel or hosiery in his possession or in the possession of any other person.

(*b*) inspect or cause to be inspected any book or document belonging to or in the custody of any person.

(*c*) enter and search or authorise any person to enter and search any premises or search or authorize any person to search the luggage of any person travelling in a railway train, vessel or any public conveyance, and seize any cloth apparel or yarn in respect of which he has reasonable cause to suspect that a contravention of this order has been committed.

9. The Textile Commissioner may, by notification in the Gazette prescribe the manner in which any applications for a special or transport permit under this order shall be made.

10. No prosecution for the contravention of any of the provisions of this order shall be instituted except with the previous sanction of the Government or any officer authorised in that behalf by the Government.

11. Any court trying a contravention of any of the provisions of this order may without prejudice to any other sentence which it may pass, direct that any article or articles in respect of which it is satisfied that the order has been contravened shall be forfeited to Government.

12. The Cotton Cloth Movements Control Order 1943 and the Cotton Cloth and Yarn (Transport) Control Order 1944, are hereby repealed;

Provided that anything done under any provision of the said orders shall be deemed to have been done under the corresponding provision of this order, and any reference in any instrument to any provision of the said orders or any notification issued thereunder shall be deemed to be a reference to the corresponding provision of this order or any notification issued thereunder.

No. C. 874—Co. 10-46-3, dated Bangalore, the 28th August 1946.

In pursuance of sub-clause (1) of clause 3 of the Cotton Textiles (Control of Movement) Order, 1946, I hereby notify for public information the following general permit (which may be called General Permit No. 1).

1. *Zone.*—For the purposes of this permit South Dificit Zone comprises the province of Madras, Coorg, the Madras States, and the States of Mysore, Banganapalli and Sandur.

2. *Transport by Railway Passengers.*—A railway passenger may offer for transport by rail or cause to be transported by rail cloth and appeared as part of his luggage, if such cloth and apparel do not together exceed in weight 20 lbs.

3. *Transport under Military Credit Note.*—Any person may offer for transport by rail or cause to be transported by rail a consignment of cloth or apparel if such consignment is made under Military Credit Notes and is booked for transport by rail from any place in the South Zone to any place beyond that zone.

4. *Transport by Goods train within the Zone.*—Any person holding a transport permit or purchase authority or a special permit granted by the Additional Textile Commissioner in Mysore may offer for transport or cause to be transported by goods train any cloth or apparel from any place to any other place in Mysore or from any place in Mysore to any place in the South Zone.

5. *Exceptions.*—The General permit is subject to the restrictions which may be imposed from time to time by any order of the Textile Commissioner under clause 5 or any notification of the Textile Commissioner under clause 6, of the Cotton Textile (Control of Movement) Order, 1946.

No. C. 876—Co. 10-46-4, dated Bangalore, the 28th August 1946.

In pursuance of sub-clause (1) of clause 4 of the Cotton Textiles (Control of Movement) Order, 1946, I hereby notify for public information, the following general permit (which may be called General Permit No. 2).

2. For this purpose of the general permit Mysore Region comprises the State of Mysore.

3. Any person holding a transport permit or purchase authority or special permit granted by the Additional Textile Commissioner in Mysore may transport by rail or road or offer so to transport, or cause so to be transported any yarn from any place to any other place in the Mysore Region.

4. *Transport from one region to another.*—Any person may transport by rail or road or offer so to transport or cause to be transported any yarn from any place in Mysore to any place beyond Mysore, where such transport is necessary in order to comply with, and is undertaken for the purpose of complying with any direction of the Additional Textile Commissioner in Mysore.

5. Any person may transport by rail or road or offer for such transport or cause to be so transported from any place from Mysore to any place beyond Mysore the following:—

(1) Sewing Thread.
(2) Cotton String.
(3) Cotton Twine.

6. This general permit is subject to the restrictions which may be imposed from time to time by any order under clause 5 of any notification under clause 6 of the Cotton Textiles (Control of Movement) Order, 1946.

No. C. 892—Co. 1-46-24, dated Bangalore, the 28th August 1946.

In the notification No. C. 427—Co. 1-46-6, dated the 30th July 1946, published on page 334 in part IV of the *Mysore Gazette*, dated the 1st August 1946 *for* the figure '14' occurring under paragraph III, *read* IA.

No. C. 894—Co. 1-46-23, dated Bangalore, the 28th August 1946.

In exercise of the powers conferred by clause (*c*) of sub-section (1) of section 3 of the Hoarding and Profiteering Prevention Act, 1944, (Act XXII of 1944), the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be

made in their Notification No. C. 353—Co. 1-45-47, dated the 13th October 1945, as amended by Notification No. C. 2817—Co. 1-45-148, dated the 11th June 1946, namely:—

In the proviso to the preamble of the said Notification *for* the figure "15" the figure "12½" shall be substituted.

No. C. 895—Co. 1-46-21, dated Bangalore, the 28th August 1946.

In exercise of the powers conferred by clause (*c*) of sub-section (1) of section 3 of the Hoarding and Profiteering Prevention Act, 1944, (Act XXII of 1944, the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in their Notification No. C. 2587—Co 1-45-140, dated the 27th May 1946 namely:—

In the Schedule annexed to the said Notification, item No. 2 relating to Ping Pong balls shall be deleted.

No. C. 897—Co. 1-46-19, dated Bangalore, the 28th August 1946.

In exercise of the powers conferred by clause (c) of sub-section (1) of section 3 of the Hoarding and Profiteering Prevention Act, 1944 (Act XXII of 1944), the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in their Notification No. C. 693—Co. 33-44-17, dated the 22nd January 1945 namely:—

In part I of the said notification,

(*a*) in item 1, the words "H.M.V." "Columbia", "Parlophone", Brunswick and Decca (Red label) shall be omitted;

(*b*) in item 5, the words "Twin" 'Regal", "Regal-Zone" and "Rex" shall be omitted; and

(*c*) item 8, shall be omitted.

A. S. KHALEEL, *Civil Supplies Secy.*

Printed by the Superintendent at the Government Press, Bangalore.

Regd. No. M. 1175.

The Mysore Gazette

PUBLISHED BY AUTHORITY

(EXTRAORDINARY)

BANGALORE, FRIDAY, SEPTEMBER 20, 1946

NOTIFICATION.

No. Rl. 315—Legis. 11-46-1, dated 20th September 1946.

Ordered that the accompanying Limitation (War Conditions) (Emergency Continuance) Act, 1946, which received the assent of His Highness the Maharaja on the 16th day of September 1946, be published as Act No. XXXIV of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNA RAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. XXXIV OF 1946.

THE LIMITATION (WAR CONDITIONS) (EMERGENCY CONTINUANCE) ACT, 1946.

(Received the assent of His Highness the Maharaja on the 16th day of September 1946.)

WHEREAS the Limitation (War Conditions) (Emergency) Act, 1946 (XIII of 1946) which received the assent of His Highness the Maharaja on the Twenty-Third Day of March 1946 will expire six months thereafter;

And whereas the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to extend it for a further period of six months;

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (2) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows : —

1. This Act may be called the Limitation (War Conditions) (Emergency Continuance) Act, 1946.

2. The Limitation (War Conditions) (Emergency) Act, 1946 (XIII of 1946) is hereby extended for a further period of six months.

T. C. M. ROYAN,

Minister for Edn. and Public Health, in charge of the current duties of the Dewan.

Printed by the Superintendent at the Government Press, Bangalore.

Regd. No. M. 1175.

The Mysore Gazette

PUBLISHED BY AUTHORITY

EXTRAORDINARY.

BANGALORE, MONDAY, SEPTEMBER 23, 1946.

NOTIFICATIONS.

No. RI. 349—Legis. 12-46-1, dated 23rd September 1946.

Ordered that the accompanying Insurance (Amendment) (Emergency) Act, 1946, which received the assent of His Highness the Maharaja on the 16th day of September 1946, be published as Act No. XXXV of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNA RAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. XXXV OF 1946.

THE INSURANCE (AMENDMENT) (EMERGENCY) ACT, 1946.

(Received the assent of His Highness the Maharaja on the 16th day of September 1946.)

An Act further to amend the Insurance Act, 1939.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action further to amend the Insurance Act, 1939, for the purposes hereinafter appearing;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act (XVIII of 1940);

It is hereby enacted as follows: —

1. This Act may be called the Insurance (Amendment) (Emergency) Act, 1946. Short title.

Amendment of section 4, Act XXII of 1939.

2. In sub-section (1) of section 4 of the Insurance Act, 1939 (hereinafter referred to as the said Act), for the words "fifty rupees or less or a gross sum of rupees five hundred or less" the words "less than one hundred rupees or a gross sum of less than one thousand rupees" shall be substituted.

Amendment of section 66, Act XXII of 1939.

3. In section 66 of the said Act, for the words "fifty rupees or a gross sum exceeding five hundred rupees" the words "one hundred rupees or a gross sum exceeding nine hundred rupees" shall be substituted.

T. C. M. ROYAN,
Minister for Edn. and Public Health, in charge of the current duties of the Dewan.

Order No. R. L. 350—Legis. 13-46-1, dated Bangalore, the 23rd September 1946.

Ordered that the accompanying Mysore Factories (Amendment) (Emergency) Act, 1946, which received the assent of His Highness the Maharaja, on the 16th day of September 1946, be published as Act No. XXXVI of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. XXXVI OF 1946.

THE MYSORE FACTORIES (AMENDMENT) (EMERGENCY) ACT, 1946.

(Received the assent of His Highness the Maharaja on the 16th day of September 1946.)

An Act further to amend the Mysore Factories Act, 1936.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action further to amend the Mysore Factories Act, 1936 (I of 1936), for the purposes hereinafter appearing;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows :—

Short title.

1. This Act may be called the Mysore Factories Amendment) (Emergency) Act, 1946.

Amendment of section 34, Act I of 1936.

2. In section 34 of the Mysore Factories Act, 1936 hereinafter referred to as the said Act), for the words 'fifty-four" and "sixty" the words "forty-eight" and 'fifty" shall be respectively substituted.

Amendment of section 36, Act I of 1936.

3. In section 36 of the said Act, for the words "ten" and "eleven" the words "nine" and "ten" shall be respectively substituted.

Amendment of section 38, Act I of 1936.

4. In section 38 of the said Act, for the word "thirteen" the words "ten and a half hours, or where the factory is a seasonal one, eleven and a half" shall be substituted.

Amendment of section 44, Act I of 1946.

5. For sub-section (4) of section 44 of the said Act, the following sub-section shall be substituted, namely :—

"(4) An order under sub-section (2) shall remain in force for such period, not exceeding two months from the date on which notice thereof is given to the manager of the factory, as may be specified in the order:

Provided that if in the opinion of the Government the public interest so requires, the Government may from time to time, by notification in the Official Gazette, extend the operation of any such order for such period, not exceeding six months at any one time, as may be specified in the notification."

Amendment of section 45, Act I of 1936.

6. In the first proviso to section 45 of the said Act, for the words, "thirteen hours" the words "ten and a half hours, or where the factory is a seasonal one, of eleven and a half hours," shall be substituted.

Amendment of section 47, Act I of 1936.

7. In section 47 of the said Act, for sub-sections (1) and (2) the following sub-section shall be substituted, namely :—

"(1) where a worker—

(*a*) in a non-seasonal factory works for more than nine hours in any day or for more than forty-eight hours in any week, or

(*b*) in a seasonal factory works for more than nine hours in any day or for more than fifty hours in any week,

he shall be entitled in respect of the overtime worked to pay at the rate of twice his ordinary rate of pay."

T. C. M. ROYAN,
Minister for Edn. and Public Health, in-charge of the current duties of the Dewan.

Printed by the Superintendent at the Government Press, Bangalore.

NOTIFICATION.

Order No. R. L. 350—Legis. 13-46-1, dated Bangalore, the 23rd September 1946.

Ordered that the accompanying Mysore Factories (Amendment) (Emergency) Act, 1946, which received the assent of His Highness the Maharaja, on the 16th day of September 1946, be published as Act No. XXXVI of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. XXXVI OF 1946.

THE MYSORE FACTORIES (AMENDMENT) (EMERGENCY) ACT, 1946.

(Received the assent of His Highness the Maharaja on the 16th day of September 1946.)

An Act further to amend the Mysore Factories Act, 1936.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action further to amend the Mysore Factories Act, 1936 (I of 1936), for the purposes hereinafter appearing;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

1. This Act may be called the Mysore Factories (Amendment) (Emergency) Act, 1946. Short title.

2. In section 34 of the Mysore Factories Act, 1936 (hereinafter referred to as the said Act), for the words "fifty-four" and "sixty" the words "forty-eight" and "fifty" shall be respectively substituted. Amendment of section 34, Act I of 1936.

3. In section 36 of the said Act, for the words "ten" and "eleven" the words "nine" and "ten" shall be respectively substituted. Amendment of section 36, Act I of 1936.

Amendment of section 38, Act I of 1936.

4. In section 38 of the said Act, for the word "thirteen" the words "ten and a half hours, or where the factory is a seasonal one, eleven and a half" shall be substituted.

Amendment of section 44, Act I of 1946.

5. For sub-section (4) of section 44 of the said Act, the following sub-section shall be substituted, namely:—

"(4) An order under sub-section (2) shall remain in force for such period, not exceeding two months from the date on which notice thereof is given to the manager of the factory, as may be specified in the order:

Provided that if in the opinion of the Government the public interest so requires, the Government may from time to time, by notification in the Official Gazette, extend the operation of any such order for such period, not exceeding six months at any one time, as may be specified in the notification."

Amendment of section 45, Act I of 1936.

6. In the first proviso to section 45 of the said Act, for the words, "thirteen hours" the words "ten and a half hours, or where the factory is a seasonal one, of eleven and a half hours," shall be substituted.

Amendment of section 47, Act I of 1936.

7. In section 47 of the said Act, for sub-sections (1) and (2) the following sub-section shall be substituted, namely:—

"(1) where a worker—

(*a*) in a non-seasonal factory works for more than nine hours in any day or for more than forty-eight hours in any week, or

(*b*) in a seasonal factory works for more than nine hours in any day or for more than fifty hours in any week,

he shall be entitled in respect of the overtime worked to pay at the rate of twice his ordinary rate of pay."

T. C. M. ROYAN,

Minister for Edn. and Public Health, in-charge of the current duties of the Dewan.

Price 0-0-6.

Printed by the Superintendent at the Government Press, Bangalore.

R. No. M. 1175.

The Mysore Gazette

PUBLISHED BY AUTHORITY

EXTRAORDINARY.

BANGALORE, FRIDAY, SEPTEMBER 27, 1946.

NOTIFICATION.

No. SD. 2886—C. 22-46-48, dated 27th September 1946.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore, the Government of His Highness the Maharaja are pleased to fix, with effect from 28th September 1946, the maximum wholesale and retail selling prices of groundnut kernel and groundnut oil as detailed in the Schedules A and B annexed hereto and to direct with reference to sub-rule (1) of Rule 119 of the said rules that notice of this order shall be given by publication of the same in the Official Gazette.

SCHEDULE A.

Groundnut Kernel.—

Region	Rs.	a.	p.	*Price*
Davangere, Harihar and Chitaldrug Taluks.	14	0	0	per Imperial maund, loose ex-sellers' godown.
Tumkur and Madhugiri Taluks ..	14	8	0	Do
Other places in the State ...	15	0	0	Do

Note.—The above prices are for kernel of fair average quality subject to the following conditions :—

(1) The kernels should be thoroughly dry and in sound merchantable condition.

(2) The prices shall be applicable to kernel containing not more than 4 per cent of dirt, with mutual allowances. For the purposes of this condition, dirt includes stones, shell, other seeds, foreign matter and also such nuts in shell, damaged kernels, splits, broken-kernels, nooks and shrivelled kernels as are reckoned by the custom of the trade, as dirt.

SCHEDULE B.

Groundnut Oil.—

Region	*Price*							
	Wholesale				*Retail*			
	Rs.	a.	p.		Rs.	a.	p.	
Davangere, Harihar and Chitaldrug Taluks.	36	0	0	per Imperial maund ex-godown, naked for oil containing not more than 4% of free fatty acid.	1	7	0	per viss.
Bangalore, Mysore, Tumkur and Madhugiri Taluks.	37	12	0	Do	1	8	0	Do
Other parts of the State.	39	8	0	Do	1	9	0	Do

Explanation.—

(1) Wholesale means sale in quantities of one Imperial maund or more at a time.

(2) Retail sale means a sale in quantities of less than one Imperial maund at a time.

K. SRINIVASAN, *Food Secy.*

Printed by the Superintendent at the Government Press, Bangalore.

R. No. M. 1175.

The Mysore Gazette

PUBLISHED BY AUTHORITY

EXTRAORDINARY.

BANGALORE, SATURDAY, SEPTEMBER 28, 1946.

NOTIFICATIONS.

No. R. L. 385—Legis. 14-46-1 dated, (Camp) Mysore, the 28th September 1946.

Ordered that the accompanying the Supplies, Services and Miscellaneous Provisions (Temporary Power) (Emergency) Act, 1946 (Act No. XXXVII of 1946) which received the assent of His Highness the Maharaja, on the 27th day of September 1946, be published as Act No. XXXVII of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XXXVII OF 1946.

THE SUPPLIES, SERVICES AND MISCELLANEOUS PROVISIONS (TEMPORARY POWERS) (EMERGENCY) ACT, 1946

(*Received the assent of His Highness the Maharaja on the 27th day of September 1946*).

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to provide for the continuance of certain Rules made under the Defence of

India Act, 1939, as applied to Mysore (being the annexure to the Defence of India (Adaptation to Mysore) Act, 1939);

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

Short title and extent.

1. (1) This Act may be called the Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Emergency) Act, 1946.

(2) It extends to the whole of Mysore.

Continuance in force of certain existing Rules.

2. The Rules made under the Defence of India Act, 1939, as applied to Mysore (hereinafter referred to as the said Act) (being the annexure to the Defence of India (Adaptation to Mysore) Act, 1939) which are specified in the schedule to this Act and as in force on the 30th day of September 1946, shall, by virtue of this Act continue in force notwithstanding the expiry of the said Act and have effect as if references (if any) therein to any of the purposes specified in section 2 of the said Act were omitted therefrom.

Continuance of certain orders, appointments, licences, permits and directions.

3. All orders made under any Rule continued by section 2 and in force on the 30th day of September 1946 shall continue in force and shall have effect as if they had been made under the said Rule as continued by this Act and all appointments made, licences or permits granted and directions issued under any such order and in force on the 30th day of September 1946 shall likewise continue in force and have effect as if made, granted or issued under this Act.

Power to repeal.

4. The Government may by notification in the official Gazette repeal in whole or in part any Rule which is continued by section 2.

Application of certain provisions of the Defence of India Act and Rules thereunder.

5. The provisions of clause 1 of the schedule to the Defence of India (Adaptation to Mysore) Act, 1939, and the provisions of sub-sections (4) and (5) of section 2, section 3, section 14, section 16 and section 17 of the said Act and the provisions of rule 1, rule 2, sub-rule (1) of rule 3, rule 4, rule 5 and Part XVII and Part XVIII of the Defence of India Rules, as applied to Mysore, shall, notwithstanding their expiry for all other purposes, continue to apply (so far as applicable) to any Rule continued by section 2 and to any order made under such Rule and to any appointment made, licence or permit granted or direction issued under any such order, and whether or not

it is necessary or expedient for the purposes (if any) specified in any of the aforesaid provisions of the said Act or the Defence of India Rules, as applied to Mysore.

Continuance of delegated powers and duties.

6. Where, under sub-section (4) or sub-section (5) of section 2 of the said Act, the Government has directed that any power or duty which by any Rule continued by section 2 has been conferred or imposed on it shall be exercised or discharged by any officer or authority or where any power or duty has been conferred or imposed on any officer or authority under any order made under any such Rule, then such officer or authority shall, notwithstanding the expiry of the said Act, continue to exercise such power or duty as if it had been conferred or imposed by this Act and any order made, any direction given or any licence or permit granted or any other action taken by such officer or authority and in force on the 30th day of September 1946 shall continue to be in force and be as effective as if such power or duty had been exercised or discharged in pursuance of this Act.

Requisition of land.

7. (1) Any land requisitioned under the Defence of India Rules, as applied to Mysore, shall, notwithstanding the expiry of the said Act, continue to be subject to requisition until the expiry of this Act and the Government may use or deal with any requisitioned land in such manner as may appear to it to be expedient:

Provided that the Government may at any time release from requisition any requisitioned land.

(2) In respect of such land the provisions of section 19, section 19A and section 19-B of the said Act and Rule 75-A of the Defence of India Rules, as applied to Mysore, shall, notwithstanding the expiry of the said Act continue to apply and shall for this purpose be deemed to be in force until the expiry of this Act.

The Defence of India Act to continue for its duration.

8. Nothing in this Act shall be construed as restricting the operation of the said Act while the said Act remains in force.

Schedule.

I. Defence of India Rules as applied to Mysore.

Rule 20. Control of postal communications.
Rule 38 (1) (*a*) read with Rule 34 (6) (*a*), (*b*), (*e*), (*f*), (*g*), (*h*), (*hh*), (*jj*). Prohibition of Prejudicial Acts.
Rule 40 (1) (*d*) read with Rule 34 (7) read with Rule 34 (6) (*a*), (*b*), (*e*), (*f*), (*g*), (*h*), (*hh*), (*jj*), Proscription, etc., of certain documents containing prejudicial reports.
Rule 56. Control of processions, meetings, etc.
Rule 56-A. Prevention of hartals in places of employment.
Rule 75-A. Requisitioning of property.
Rule 75-B. Maintenance of food supplies.
Rule 76-A. Powers relating to storage accommodation.
Rule 78. Power to do work on land.
Rule 80-B. Control of Agriculture.
Rule 81. General control of industry, etc.
Rule 81-A. Avoidance of strikes and lock-outs.
Rule 81-D. Shops trading in essential articles.
Rule 81-E. Boycotting.
Rule 84. Power to prohibit or restrict the import and export of goods.
Rule 85-A. Control of carriage of goods by Railways.
Rule 88. Handling and conveyance of ammunition, etc.
Rule 89. Control of road and water transport.
Rule 90-A. Control of use, etc., of imported silver.
Rule 90-B. Restriction on export of money and gold.
Rule 91. Restriction on purchases of foreign exchange.
Rule 92. Acquisition by Central Government of foreign exchange.
Rule 92-A. Restrictions on payments, etc.
Rule 92-B. Blocked accounts.
Rule 92-C. Power to prohibit action on certain orders as to gold, etc.
Rule 92-D. Requirements as to payment for goods exported to certain territories.
Rule 93. Restriction on purchases and export of securities.
Rule 94. Acquisition by the Central Government of foreign securities.
Rule 94-A. Control of Capital Issues.
Rule 95. Banks to satisfy themselves that their provisions are not contravened.
Rule 97. Definition of the expression "Enemy".
Rule 98. Prohibition of trading with the enemy.
Rule 99. Control of rights, etc., in respect of trading with the enemy.
Rule 100. Power to appoint Controllers, etc., of Enemy Trading.
Rule 100-A. Powers of Controllers, etc., of Enemy Trading.
Rule 101-A. Penalty for failure to comply with orders of Controllers, etc.
Rule 103. Definitions.
Rule 104. Prohibition of trade with enemy firms and purchase of enemy currency.

Rule 105. Power to appoint Controllers, etc., of enemy firms.
Rule 106. Powers of Controllers, etc., of enemy firms.
Rule 108. Penalty for failure to comply with orders of Controller, etc.
Rule 110. Contracts with enemy firms.
Rule 111. Transfer of property to or by enemy firms.
Rule 113-A. Power to carry on business of enemy firm.
Rule 114. Collection of debts of enemy firms and custody of property.
Rule 114-A. Power to control and wind up certain businesses.
Rule 116. Power to obtain information.

II. Other Rules under the said Act.

The Industrial Disputes Settlement and Arbitration Rules, 1941 (issued under Notification No. R. L. 1560—Legis., dated Bangalore, the 20th December 1942).

A. RAMASWAMI MUDALIAR,

Dewan.

5.4

No. Rl. 386—Legis. 15-46-1, dated (Camp) Mysore, the 28th September 1946.

Ordered that the accompanying The Press and Registration of Books (Amendment) (Emergency) Act, 1946 (Act No. XXXVIII of 1946), which received the assent of His Highness the Maharaja, on the 27th day of September 1946, be published as Act No. XXXVIII of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XXXVIII OF 1946.

THE PRESS AND REGISTRATION OF BOOKS (AMENDMENT) (EMERGENCY) ACT, 1946.

(Received the assent of His Highness the Maharaja on the 27th day of September 1946).

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action further to amend the Act for the regulation of Printing Presses and Newspapers, for the preservation of copies of books printed in the Territories of Mysore, and for the registration of such books;

NOW THEREFORE in exercise of the powers conferred by sub-section (1) of Section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

Short title.

1. This Act may be called the Press and Registration of Books (Amendment) (Emergency) Act, 1946.

Amendment of Section 1 of Act, No. XXV of 1867.

2. In Section 1 of the Indian Press and Registration of Books Act, 1867, (No. XXV of 1867) as in force in Mysore, (hereinafter referred to as the said Act) the following definitions shall be added, namely:—

"'editor' means the person who controls the selection of the matter that is published in a newspaper," and

"'newspaper' means any printed periodical work containing public news or comments on public news."

3. In section 5 of the said Act:— Amendment of section 5 of Act, No. XXV of 1867.

(*a*) for the words "printed periodical work containing public news or comments on public news" the word 'newspaper' shall be substituted;

(*b*) in rule (1) for the words "such periodical work", "newspaper" shall be substituted, and for the words "periodical work" in the declaration appended to the rule, the word 'newspaper' shall be substituted; and

(*c*) after rule (1) as so amended, the following new rule shall be added:—

"(1-a) Every copy of every newspaper shall contain the name of the person who is the editor thereof printed clearly on every copy as the name of the editor of such newspaper;"

4. In section 7 of the said Act:— Amendment of section 7 of Act, No. XXV of 1867.

(*a*) after the words 'the custody of such declarations' the words,' c or, in the case of the editor, a copy of the newspaper containing his name printed on it as that of the editor',

(*b*) after the words 'to such declaration' the words 'or printed on such newspaper, as the case may be' and

(*c*) after the words 'in the declaration', the words 'or the editor of every portion of that issue of the newspaper of which a copy is produced',

shall be inserted.

5. After section 11 of the said Act, the following sections shall be added, namely:— Addition of section 11-A and 11-B, in Act No. XXV of 1867.

"11-A. The printer of every newspaper in Mysore shall deliver at such place and to such officer as the Government may, by notification in the official Gazette direct and free of expense to the Government, two copies of each issue of such newspaper as soon as it is published.

11-B. If any printer of any newspaper published in Mysore neglects to deliver copies of the same in compliance with section 11-A, he shall on the complaint of the officer to whom copies should have been delivered or of any person authorised by that officer in this behalf, be punishable, on conviction by a magistrate

having jurisdiction in the place where the newspaper was printed, with fine which may extend to fifty rupees for every default."

Amendment of section 15 of Act XXV of 1867.

6. In section 15 of the said Act,—

After the words 'whoever shall', in the two places where they occur, the word 'edit' and after the words "shall cease to be', the word 'edited' shall be inserted.

A. RAMASWAMI MUDALIAR,

Dewan.

Printed by the Superintendent at the Government Press, Bangalore.

NOTIFICATION.

No. R. L. 385—Legis. 14-46-1 dated, (Camp) Mysore, the 28th September 1946.

Ordered that the accompanying the Supplies, Services and Miscellaneous Provisions (Temporary Power) (Emergency) Act, 1946 (Act No. XXXVII of 1946) which received the assent of His Highness the Maharaja, on the 27th day of September 1946, be published as Act No. XXXVII of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XXXVII OF 1946.

THE SUPPLIES, SERVICES AND MISCELLANEOUS PROVISIONS (TEMPORARY POWERS) (EMERGENCY) ACT, 1946.

(*Received the assent of His Highness the Maharaja on the 27th day of September 1946*).

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to provide for the continuance of certain Rules made under the Defence of India Act, 1939, as applied to Mysore (being the annexure to the Defence of India (Adaptation to Mysore) Act, 1939);

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

Short title and extent.

1. (1) This Act may be called the Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Emergency) Act, 1946.

(2) It extends to the whole of Mysore.

Continuance in force of certain existing Rules.

2. The Rules made under the Defence of India Act, 1939, as applied to Mysore (hereinafter referred to as the said Act) (being the annexure to the Defence of India (Adaptation to Mysore) Act, 1939) which are specified in the schedule to this Act and as in force on the 30th day of September 1946, shall, by virtue of this Act continue in force notwithstanding the expiry of the said Act and have effect as if references (if any) therein to any of the purposes specified in section 2 of the said Act were omitted therefrom.

Continuance of certain orders, appointments, licences, permits and directions.

3. All orders made under any Rule continued by section 2 and in force on the 30th day of September 1946 shall continue in force and shall have effect as if they had been made under the said Rule as continued by this Act and all appointments made, licences or permits granted and directions issued under any such order and in force on the 30th day of September 1946 shall likewise continue in force and have effect as if made, granted or issued under this Act.

Power to repeal.

4. The Government may by notification in the official Gazette repeal in whole or in part any Rule which is continued by section 2.

Application of certain provisions of the Defence of India Act and Rules thereunder.

5. The provisions of clause 1 of the schedule to the Defence of India (Adaptation to Mysore) Act, 1939, and the provisions of sub-sections (4) and (5) of section 2, section 3, section 14, section 16 and section 17 of the said Act and the provisions of rule 1, rule 2, sub-rule (1) of rule 3, rule 4, rule 5 and Part XVII and Part XVIII of the Defence of India Rules, as applied to Mysore, shall, notwithstanding their expiry for all other purposes, continue to apply (so far as applicable) to any Rule continued by section 2 and to any order made under such Rule and to any appointment made, licence or permit granted or direction issued under any such order, and whether or not it is necessary or expedient for the purposes (if any) specified in any of the aforesaid provisions of the said Act or the Defence of India Rules, as applied to Mysore.

Continuance of delegated powers and duties.

6. Where, under sub-section (4) or sub-section (5) of section 2 of the said Act, the Government has directed that any power or duty which by any Rule continued by section 2 has been conferred or imposed on it shall be exercised or discharged by any officer or authority or where any power or duty has been conferred or imposed on any officer or authority under any order made under any such Rule, then such officer or authority shall, notwithstanding

the expiry of the said Act, continue to exercise such power or duty as if it had been conferred or imposed by this Act and any order made, any direction given or any licence or permit granted or any other action taken by such officer or authority and in force on the 30th day of September 1946 shall continue to be in force and be as effective as if such power or duty had been exercised or discharged in pursuance of this Act.

Requisition of land.

7. (1) Any land requisitioned under the Defence of India Rules, as applied to Mysore, shall, notwithstanding the expiry of the said Act, continue to be subject to requisition until the expiry of this Act and the Government may use or deal with any requisitioned land in such manner as may appear to it to be expedient:

Provided that the Government may at any time release from requisition any requisitioned land.

(2) In respect of such land the provisions of section 19, section 19A and section 19-B of the said Act and Rule 75-A of the Defence of India Rules, as applied to Mysore, shall, notwithstanding the expiry of the said Act continue to apply and shall for this purpose be deemed to be in force until the expiry of this Act.

The Defence of India Act to continue for its duration.

8. Nothing in this Act shall be construed as restricting the operation of the said Act while the said Act remains in force.

Schedule.

I. Defence of India Rules as applied to Mysore.

Rule 20. Control of postal communications.

Rule 38 (1) (*a*) read with Rule 34 (6) (*a*), (*b*), (*e*), (*f*), (*g*), (*h*), (*hh*), (*jj*). Prohibition of Prejudicial Acts.

Rule 40 (1) (*d*) read with Rule 34 (7) read with Rule 34 (6) (*a*), (*b*), (*e*), (*f*), (*g*), (*h*), (*hh*), (*jj*), Proscription, etc., of certain documents containing prejudicial reports.

Rule 56. Control of processions, meetings, etc.

Rule 56-A. Prevention of hartals in places of employment.

Rule 75-A. Requisitioning of property.

Rule 75-B. Maintenance of food supplies.

Rule 76-A. Powers relating to storage accommodation.

Rule 78. Power to do work on land.

Rule 80-B. Control of Agriculture.

Rule 81. General control of industry, etc.

Rule 81-A. Avoidance of strikes and lock-outs.

Rule 81-D. Shops trading in essential articles.

Rule 81-E. Boycotting.

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Rule 84.	Power to prohibit or restrict the import and export of goods.
Rule 85-A.	Control of carriage of goods by Railways.
Rule 88.	Handling and conveyance of ammunition, etc.
Rule 89.	Control of road and water transport.
Rule 90-A.	Control of use, etc., of imported silver.
Rule 90-B.	Restriction on export of money and gold.
Rule 91.	Restriction on purchases of foreign exchange.
Rule 92.	Acquisition by Central Government of foreign exchange.
Rule 92-A.	Restrictions on payments, etc.
Rule 92-B.	Blocked accounts.
Rule 92-C.	Power to prohibit action on certain orders as to gold, etc.
Rule 92-D.	Requirements as to payment for goods exported to certain territories.
Rule 93.	Restriction on purchases and export of securities.
Rule 94.	Acquisition by the Central Government of foreign securities.
Rule 94-A.	Control of Capital Issues.
Rule 95.	Banks to satisfy themselves that their provisions are not contravened.
Rule 97.	Definition of the expression "Enemy".
Rule 98.	Prohibition of trading with the enemy.
Rule 99.	Control of rights, etc., in respect of trading with the enemy.
Rule 100.	Power to appoint Controllers, etc., of Enemy Trading.
Rule 100-A.	Powers of Controllers, etc., of Enemy Trading.
Rule 101-A.	Penalty for failure to comply with orders of Controllers, etc.
Rule 103.	Definitions.
Rule 104.	Prohibition of trade with enemy firms and purchase of enemy currency.
Rule 105.	Power to appoint Controllers, etc., of enemy firms.
Rule 106.	Powers of Controllers, etc., of enemy firms.
Rule 108.	Penalty for failure to comply with orders of Controller, etc.
Rule 110.	Contracts with enemy firms.
Rule 111.	Transfer of property to or by enemy firms.
Rule 113-A.	Power to carry on business of enemy firm.
Rule 114.	Collection of debts of enemy firms and custody of property.
Rule 114-A.	Power to control and wind up certain businesses.
Rule 116.	Power to obtain information.

II. Other Rules under the said Act.

The Industrial Disputes Settlement and Arbitration Rules, 1941 (issued under Notification No. R. L. 1560—Legis., dated Bangalore, the 20th December 1942).

A. RAMASWAMI MUDALIAR,
Dewan.

Printed by the Superintendent at the Government Press, Bangalore

Price 0-0-9.

NOTIFICATION.

No. Rl. 386—Legis. 15-46-1, dated (Camp) Mysore, the 28th September 1946.

Ordered that the accompanying The Press and Registration of Books (Amendment) (Emergency) Act, 1946 (Act No. XXXVIII of 1946), which received the assent of His Highness the Maharaja, on the 27th day of September 1946, be published as Act No. XXXVIII of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XXXVIII OF 1946.

THE PRESS AND REGISTRATION OF BOOKS (AMENDMENT) (EMERGENCY) ACT, 1946.

(Received the assent of His Highness the Maharaja on the 27th day of September 1946).

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action further to amend the Act for the regulation of Printing Presses and Newspapers, for the preservation of copies of books printed in the Territories of Mysore, and for the registration of such books;

NOW THEREFORE in exercise of the powers conferred by sub-section (1) of Section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

Short title.

1. This Act may be called the Press and Registration of Books (Amendment) (Emergency) Act, 1946.

Amendment of Section 1 of Act, No. XXV of 1867

2. In Section 1 of the Indian Press and Registration of Books Act, 1867, (No. XXV of 1867) as in force in Mysore, (hereinafter referred to as the said Act) the following definitions shall be added, namely:—

"'editor' means the person who controls the selection of the matter that is published in a newspaper," and

"'newspaper' means any printed periodical work containing public news or comments on public news."

Amendment of section 5 of Act, No. XXV of 1867.

3. In section 5 of the said Act:—

(*a*) for the words "printed periodical work containing public news or comments on public news" the word 'newspaper' shall be substituted;

(*b*) in rule (1) for the words "such periodical work", "newspaper" shall be substituted, and for the words "periodical work" in the declaration appended to the rule, the word 'newspaper' shall be substituted; and

(*c*) after rule (1) as so amended, the following new rule shall be added :—

" (1-a) Every copy of every newspaper shall contain the name of the person who is the editor thereof printed clearly on every copy as the name of the editor of such newspaper ;"

Amendment of section 7 of Act, No. XXV of 1867.

4. In section 7 of the said Act :—

(*a*) after the words ' the custody of such declarations ' the words,' c or, in the case of the editor, a copy of the newspaper containing his name printed on it as that of the editor ',

(*b*) after the words ' to such declaration ' the words ' or printed on such newspaper, as the case may be ' and

(*c*) after the words ' in the declaration', the words ' or the editor of every portion of that issue of the newspaper of which a copy is produced',

shall be inserted.

Addition of section 11-A and 11-B, in Act No. XXV of 1867.

5. After section 11 of the said Act, the following sections shall be added, namely :—

" 11-A. The printer of every newspaper in Mysore shall deliver at such place and to such officer as the Government may, by notification in the official Gazette direct and free of expense to the Government, two copies of each issue of such newspaper as soon as it is published.

11-B. If any printer of any newspaper published in Mysore neglects to deliver copies of the same in compliance with section 11-A, he shall on the complaint of the officer to whom copies should have been delivered or of any person authorised by that officer in this behalf, be punishable, on conviction by a magistrate having jurisdiction in the place where the newspaper was printed, with fine which may extend to fifty rupees for every default."

Amendment of section 15 of Act XXV of 1867.

6. In section 15 of the said Act,—

After the words ' whoever shall', in the two places where they occur, the word ' edit ' and after the words 'shall cease to be', the word ' edited ' shall be inserted.

A. RAMASWAMI MUDALIAR,
Dewan.

Printed by the Superintendent at the Government Press, Bangalore.
Price 0-0-9.

NOTIFICATION.

No. Rl. 386—Legis. 15-46-1, dated (Camp) Mysore, the 28th September 1946.

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S. KANAKARATNARAJ,
Legal Remembrancer and
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Law Department.

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WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action further to amend the Act for the regulation of Printing Presses and Newspapers, for the preservation of copies of books printed in the Territories of Mysore, and for the registration of such books;

NOW THEREFORE in exercise of the powers conferred by sub-section (1) of Section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

Short title.

1. This Act may be called the Press and Registration of Books (Amendment) (Emergency) Act, 1946.

Amendment of Section 1 of Act, No. XXV of 1867

2. In Section 1 of the Indian Press and Registration of Books Act, 1867, (No. XXV of 1867) as in force in Mysore, (hereinafter referred to as the said Act) the following definitions shall be added, namely:—

"'editor' means the person who controls the selection of the matter that is published in a newspaper," and

"'newspaper' means any printed periodical work containing public news or comments on public news."

Amendment of section 5 of Act, No. XXV of 1867.

3. In section 5 of the said Act:—

(*a*) for the words "printed periodical work containing public news or comments on public news" the word 'newspaper' shall be substituted;

(*b*) in rule (1) for the words "such periodical work", "newspaper" shall be substituted, and for the words "periodical work" in the declaration appended to the rule, the word 'newspaper' shall be substituted; and

(*c*) after rule (1) as so amended, the following new rule shall be added:—

"(1-a) Every copy of every newspaper shall contain the name of the person who is the editor thereof printed clearly on every copy as the name of the editor of such newspaper;"

Amendment of section 7 of Act, No. XXV of 1867.

4. In section 7 of the said Act:—

(*a*) after the words 'the custody of such declarations' the words,' c or, in the case of the editor, a copy of the newspaper containing his name printed on it as that of the editor',

(*b*) after the words 'to such declaration' the words 'or printed on such newspaper, as the case may be' and

(*c*) after the words 'in the declaration', the words 'or the editor of every portion of that issue of the newspaper of which a copy is produced',

shall be inserted.

Addition of section 11-A and 11-B, in Act No. XXV of 1867.

5. After section 11 of the said Act, the following sections shall be added, namely:—

"11-A. The printer of every newspaper in Mysore shall deliver at such place and to such officer as the Government may, by notification in the official Gazette direct and free of expense to the Government, two copies of each issue of such newspaper as soon as it is published.

11-B. If any printer of any newspaper published in Mysore neglects to deliver copies of the same in compliance with section 11-A, he shall on the complaint of the officer to whom copies should have been delivered or of any person authorised by that officer in this behalf, be punishable, on conviction by a magistrate having jurisdiction in the place where the newspaper was printed, with fine which may extend to fifty rupees for every default."

Amendment of section 15 of Act XXV of 1867.

6. In section 15 of the said Act,—

After the words 'whoever shall', in the two places where they occur, the word 'edit' and after the words 'shall cease to be', the word 'edited' shall be inserted.

A. RAMASWAMI MUDALIAR,
Dewan.

Printed by the Superintendent at the Government Press, Bangalore.

Price 0-0-9.

NOTIFICATION.

No. M. 3323—P. H. 141-43-12, dated Bangalore, the 28th September 1946.

Under Section 20 of the Mysore Prevention of Adulteration Act IX of 1921, as amended from time to time, the Government of His Highness the Maharaja are pleased to make the rules issued with Government Notification No. G. 2463—Sany. 61-30-3, dated the 22nd September 1951, as amended in Government Notification No. G. 798—P. H. 136-39-3, dated 29th July 1940 (annexed hereto), applicable to Shikarpur Town Municipality.

K. THIPPERUDRIAH, *Edn. Secy.*

Rules under the Mysore Prevention of Adulteration Act.

1. In these rules, "Act" means the Mysore Prevention of Adulteration Act IX of 1921.

"Section" means section of the above Act.

Section 3.—

2. The officer to whom the local executive officer may delegate his powers shall be of the rank of a Health Officer or shall hold the Diploma of Public Health. No legal proceedings under the Act shall be instituted without the permission in writing of the President or the Commissioner, as the case may be.

Section 20 (*b*).—

3. The area within which the local executive officer of a Municipal Council shall exercise powers shall be the Municipal limits of the place.

Section 20 (*c*).—

4. *Cleanliness of Vessels.*—All vessels, receptacles or utensils used for manufacturing or preparing food or containing any food intended for sale shall be cleansed with clean boiling water before and after use and shall be kept in a constant state of cleanliness. In case of food likely to be acted upon by the metal of the vessels, receptacles or utensils in which the food is manufactured, prepared or contained for purposes of sale, precautions shall be taken to prevent such metallic contamination.

Section 20 (*d*).—

5. *How notice of Admixture, Addition or Deficiency shall be given.*—If the vendor of any article intended for food, knows that it is admixed with any foreign substance whatsoever or that any component part has been abstracted therefrom, he shall give due notice of such admixture or abstraction by means of distinct and clear labels in Kannada or in any other language likely to be read and understood by the people, affixed conspicuously on each package or receptacle containing the article. Unless the vendor of any food containing an admixture, addition or deficiency, knows of his own knowledge, that the purchaser is able to read and understand the label, he shall give the purchaser the information contained in the label by word of mouth at the time of purchase.

Section 20 (*e*).—

6. The standards of purity prescribed for milk, cream, butter and ghee are as follows :—

Milk.—

Cow's Milk.—(1) Where a sample of cow's milk (not being sold as skimmed or separated milk), contains less than 3 per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine, by reason of the abstraction therefrom of milk-fat or the addition thereto of water.

(2) When a sample of cow's milk or any skimmed or separated cow's milk contains less than 8·5 per cent of milk solids other than milk-fat, it shall be presumed for the purposes of this Act until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

(3) When a sample of cow's milk, whether sold as cow's milk or as skimmed or separated cow's milk, contains less than 0·5 per cent of nitrogen, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

Buffalo's Milk.—(4) Where a sample of buffalo's milk (not being sold as skimmed or separated milk), contains less than 4·5 per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the abstraction therefrom of milk-fat or the addition thereto of water.

(5) Where a sample of buffalo's milk, whether sold as buffalo's milk, or as skimmed or separated buffalo's milk, contains less than 9 per cent of milk-solids other than milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine by reason of the addition thereto of water.

(6) Where a sample of buffalo's milk, whether sold as buffalo's milk or as skimmed or separated buffalo's milk, contains less than 0·53 per cent of nitrogen, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine by reason of the addition thereto of water.

N.B.—The minimum limits for nitrogen prescribed above under (3) and (6) are intended to be used in those cases in which a sample of milk, when it is analysed, is so far decomposed that an estimation of the proportion of milk solids, other than milk-fat in the sample before decomposition will be unreliable, the proportion of nitrogen not being appreciably affected by decomposition.

Unspecified Milk.—(7) Where a sample of milk, separated milk or skimmed milk, is sold or offered for sale or hawked about, without any indication as to whether it is derived from the cow or the buffalo and by comparison with the minimum limits given for the cow's milk in the above, it appears to be adulterated, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine for the reason given in the above rule or rules which are applicable.

Maximum Limit for Dirt in Milk.—( ) Where a sample of milk separated or skimmed milk deposits on standing for a period of 24 hours or less, an amount of visible sediment exceeding five parts per 100,000 (both milk and sediment being measured by volume), it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine by reason of its containing an excessive amount of dirt.

Cream.—(9) Where a sample of cream contain less than 20 per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine.

Butter.—(10) Where the proportion of water in a sample of butter exceeds 20 per oent, it shall be presumed for the purposes of this Act, until the contrary be proved, that the butter is not genuine by reason of the excessive amount of water therein.

Ghee.—(11) Where the proportion of water in a sample of ghee exceeds one per cent, it shall be presumed for the purposes of this Act, until the contrary be proved, that the ghee is not genuine by reason of the excessive amount of water therein.

Section 20 (*f*).—

7. (1) No person shall add water or any dried or condensed mik or any fluid reconstituted therefrom or any skimmed milk or separated milk to milk intended for sale, and no person shall, by himself or by any servant or agent, sell or offer for sale or hawk about, any milk to which any such addition has been made.

(2) No person shall abstract any ingredient from milk, without giving due notice of the same, in an unambiguous manner, of the fact of such abstraction therefrom, as prescribed in rules under Section 20 (*d*).

(3) No person either by himself or any servant or agent, shall sell or offer for sale or hawk about, as milk, any liquid in the making of which dried milk or condensed milk has been used or to which water or other diluent or adulterant has been added or from which any ingredient has been abstracted, without due notice of the same to the purchaser as prescribed in rule under section 20 (*d*).

Section 20 (*g*).—

8. Any receptacle containing dried, condensed, skimmed or separated milk shall be labelled with an adhesive label which shall contain the information and be of the size indicated below. The information shall be in black type printed or written in the centre of the label, which shall be of white colour. Nothing else shall be printed or written on the label except the name of the article. The label shall be clearly visible to the purchaser and shall measure at least 2″×4″ where only Kannada is used or at least 4″×4″ where more than one language is employed.

Section 20 (*h*).—

9. (1) Any person taking a sample of milk for the purposes of this Act may add a preservative for the purpose of retaining the sample in a condition convenient for analytical purposes.

(2) The preservative used shall be the liquid commonly known as "formalin" which is a liquid

containing about 40 per cent of formaldehyde in aqueous solution.

(3) The amount of preservative added shall be approximately in proportion of one drop of formalin for every two ounces of the sample of milk.

(4) Each sample of milk to which formalin has been added by the person taking the sample shall bear a notification on the label to the effect that it has been "artificially preserved."

(5) For the purposes of this rule, milk includes skimmed and separated milk.

10. *Penalty for Breach of Rules.*—Every manufacturer or dealer or vendor who—(*a*) disobeys, fails to comply with or acts in contravention of the provisions made under Rule 4 herein, in respect of cleanliness of vessels, receptacles or utensils used for manufacturing, preparing or containing any food intended for sale, or (*b*) neglects to affix labels to notify in the manner prescribed, the fact of the admixture of foreign ingredients in the case of adulterated articles of food or abstraction of any component part therefrom of any article of food, or (*c*) fails to give the purchaser in cases mentioned in Rule 5, information contained in such labels by word of mouth at the time of purchase, or (*d*) manufactures, deals in or sells milk, cream, butter or ghee below the standard prescribed in Rule 6 above shall, on conviction before a Magistrate, be punished with a fine not exceeding Rs. 50 and with a fine which may extend to Rs. 50 for every subsequent offence.

Amended Rules.

6. The standards of purity prescribed for milk cream, curds, butter and ghee, and tea and coffee are as follows :—

Milk.—

Cow's Milk.—

(1) Where a sample of cow's milk (not being sold or offered for sale as skimmed or separated milk), contains less than 3 per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the abstraction therefrom of milk-fat or the addition thereto of water.

(2) Where a sample of cow's milk, whether sold or offered for sale as cow's milk or as skimmed or separated cow's milk, contains less than 8·5 per cent of milk-solids other than milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

(3) Where a sample of cow's milk, whether sold or offered for sale as cow's milk or as skimmed or separated cow's milk contains less than 0·5 per cent of nitrogen, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

(4) Where a sample of cow's milk, whether sold or offered for sale as cow's milk or as skimmed or separated cow's milk, contains less than 0·5 or more than 0·75 per cent of ash, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine by reason of the addition thereto of water, or the addition of extraneous solids, as the case may be.

Buffalo's Milk.—

(5) Where a sample of buffalo's milk (not being sold or offered for sale as skimmed or separated milk) contains less than 4·0 per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the abstraction therefrom of milk-fat, or the addition thereto of water.

(6) Where a sample of buffalo's milk, whether sold or offered for sale as buffalo's milk, or as skimmed or separated buffalo's milk contains less than 9 per cent of milk-solids other than milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

(7) Where a sample of buffalo's milk, whether sold or offered for sale as buffalo's milk, or as skimmed or separated buffalo's milk, contains less than 0·53 per cent of nitrogen, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

N.B.—The minimum limits for nitrogen prescribed above under (3) and (7) are intended to be used in those cases in which a sample of milk when it is analysed is so far decomposed that an estimation of the proportion of milk-solids other than milk-fat in the sample before decomposition will be unreliable, the proportion of nitrogen not being appreciably affected by decomposition.

(8) Where a sample of buffalo's milk, whether sold or offered for sale as buffalo's milk, or as skimmed or separated buffalo's milk, contains less than 0·60 or more than 1·00 per cent of ash, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water, or the addition of extraneous solids, as the case may be.

Unspecified Milk.—

(9) Where a sample of milk, separated milk or skimmed milk, is sold or offered for sale or hawked about without any indication as to whether it is derived from the cow or the buffalo and by comparison with the minimum limits prescribed above under (1), (2) and (3) for cow's milk, it appears to be adulterated, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine for the reason given in the above rule or rules which are applicable.

Maximum Limit for Dirt in Milk.—

(10) Where a sample of milk, separated milk, or skimmed milk deposits on standing for period of 24 hours or less, an amount of visible sediment exceeding five parts per 100,000 (both milk and sediment being measured by volume), it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of its containing an excessive amount of dirt.

Cream.—

(11) Where a sample of cream contains less than 20 per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine.

Curd.—

Curd is the product obtained by lactic acid fermentation of milk.

Curd from Cow's Milk. –

(12) Where a sample of curd from cow's milk, whether sold or offered for sale as curd from cow's milk, contains less than 8·9 per cent of total solids and more than 2·82 per cent of acidity in terms of lactic acid, it shall be presumed for the purposes of this Act, until the contrary be proved, that the curd is not genuine by reason of the addition thereto of water.

Curd from Skimmed (Cow's) Milk.—

(13) Where a sample of curd from skimmed (cow's) milk, whether sold or offered for sale as curd from skimmed (cow's) milk, contains less than 6·1 per cent of total solids and more than 3·28 per cent of acidity in terms of lactic acid, it shall be presumed for the purposes of this Act, until the contrary be proved, that the curd is not genuine by reason of the addition thereto of water.

Curd from Buffalo's Milk.—

(14) Where a sample of curd from buffalo's milk, whether sold or offered for sale as curd from buffalo's milk, contains less than 9·8 per cent of the total solids and more than 3·45 per cent of acidity in terms of lactic acid, it shall be presumed for the purposes of this Act, until the contrary be proved, that the curd is not genuine by reason of the addition thereto of water.

Curd from Skimmed (Buffalo's) Milk.—

(15) Where a sample of curd from skimmed (buffalo's) milk, whether sold or offered for sale as curd from skimmed (buffalo's) milk, contains less than 7·3 per cent of total solids and more than 3·55 per cent of acidity in terms of lactic acid, it shall be presumed for the purposes of this Act, until the contrary be proved, that the curd is not genuine by reason of the addition thereto of water.

Curd from Skimmed (Unspecified) Milk.—

(16) Where a sample of curd from skimmed milk is sold or offered for sale or hawked about, without any indication as to whether it is made of cow's or buffalo's milk and by comparison with the limits prescribed above under (13) for curd from skimmed (cow's) milk, it appears to be adulterated, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine.

Butter.—

(17) (*a*) Where the proportion of water in a sample of butter made from cow's or buffalo's milk or cream exceeds 20 per cent, it shall be presumed for the purposes of this Act, until the contrary be proved, that the butter is not genuine by reason of the excessive amount of water therein.

Note.—Rules 18 and 19 which are intended to be used in the case of ghee samples shall also apply in the case of butter which may be clarified into ghee for this purpose.

(*b*) No preservatives except salt shall be used.

Ghee.—

(18) Where the proportion of water in a sample of ghee made from cow's or buffalo's butter exceeds 1 per cent, it shall be presumed for the purposes of this Act, until the contrary be proved, that the ghee is not genuine by reason of the excessive amount of water therein.

(19) Where a sample of ghee, whether sold or offered for sale as cow's ghee or buffalo's ghee or mixed ghee, does not satisfy the following values, it shall be presumed for the purposes of this Act, uutil the contrary be proved, that the sample is not genuine.

	Refractive Index at 40°C	Reichert Meissl value	Polenske value	Free Fatty Acids as oleic, per cent	Saponification value	Iodine value
		Not less than	Not less than	Not more than	Not less than	Not more than
Cow's Ghee ...	41·0—44·0	21·0	1·5	0·20	225	41·0
Buffalo's Ghee ...	41·0—44·0	27·0	1·5	0·30	225	41·0
Mixed Ghee ...	41·0—4·0	25·0	1·5	0·28	225	41·0

(19) (*a*) No person shall add to ghee or butter intended for sale any substance—

(i) prepared in imitation of or as a substitute for ghee or butter; or

(ii) consisting or containing any oil or fat which does not conform to the definition of ghee in the Act;

(*b*) No person shall either by himself or by any servant or agent sell or offer or expose for sale any ghee or butter to which any such addition has been made.

Tea.—

(20) (*a*) Tea shall be derived exclusively from the leaves and buds of plants of the *Camellia* genus and *Thea* species.

(*b*) Tea shall contain—

(i) a proportion of extractive matter in boiling water which is not less than 40 per cent;

(ii) a proportion of total ash of not less than 4 per cent and not more than 8 per cent;

(iii) a proportion of ash insoluble in boiling water which is not more than 3·0 per cent; and

(iv) the total alkalinity of the ash as K_2O should not be less than 1·7 or more than 2·0.

N.B.—For the purpose of this rule, the ash of tea shall be determined on dry tea, that is, tea dried to constant weight at 100°C.

(*c*) Where a sample of tea does not comply with all the standards specified in sub-rules (*a*) and (*b*), it shall be presumed for the purposes of this Act, until the contrary be proved, that the tea is not genuine.

Coffee.—

(21) (*a*) "Coffee" means the seed of cultivated varieties of *Coffea arabica, Coffea liberica* and *Coffea robusta.*

"Green, raw or unroasted Coffee" is coffee freed from all but a small portion of its spermoderm, and conforms in variety and in place of production to the name it bears.

"Roasted Coffee" means properly cleaned green coffee which by the action of heat (roasting) has become brown and has developed its characteristic aroma and shall not contain any admixture of other substances than coffee, save as under (*d*).

(*b*) Coffee shall contain—

(i) a proportion of extractive matter in boiling water which is not less than 30 per cent;

(ii) a proportion of total ash of not less than 4 per cent and not more than 5 per cent;

(iii) a proportion of ash insoluble in boiling water which is not more than 1·4 per cent; and

(iv) the total alkalinity of the ash as K_2O should not be less than 1·8 or more than 2·2.

N.B.—For the purpose of this rule, the ash of coffee powder shall be determined on dry coffee powder, that is, coffee powder dried to constant weight at 100°C.

(*c*) Where a sample of coffee does not comply with all the standards specified in sub-rules (*a*) and (*b*), it shall be presumed for the purposes of this Act, until the contrary be proved, that the coffee is not genuine.

(*d*) The only permissible adulterant to coffee is chicory, which may be added to the coffee in a proportion not exceeding 50 per cent. The fact of such an addition and the exact proportion of the adulterant shall be clearly

indicated on the label of the container or packet containing the mixture, in a conspicuous place and in distinct legible letters.

When ground coffee is sold or exposed for sale in loose form, *i.e.*, other than in specifically prepared packets or containers, the receptacles containing the coffee, or on which it is exposed or kept for sale, shall be labelled with labels indicating the nature and extent of the adulterant present (if any) in letters less than one-half of an inch in size. Absence of such a label will be taken to imply that the coffee so kept or exposed for sale is meant to be sold as pure coffee.

Printed by the Superintendent at the Government Press, Bangalore.

Regd. No. M.—1175

The Mysore Gazette

(EXTRAORDINARY)

PUBLISHED BY AUTHORITY

MYSORE, SUNDAY, SEPTEMBER 29, 1946.

LAW SECRETARIAT

NOTIFICATION

No. Rl. 398/Legis. 16-46-1, Dated Camp Mysore, 29th September 1946.

In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), as applied to Mysore, the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Defence of India Rules in force in Mysore, namely :—

For Rule 81A of the said Rules the following Rule shall be substituted, namely :—

"81-A (1) If in the opinion of the Central Government, it is necessary or expedient so to do for securing the defence of British India, the public safety, the maintenance of public order or the efficient prosecution of war, or for maintaining supplies and services essential to the life of the community, the Central Government may, by general

Avoidance of strikes and lock-outs.

or special order, applying generally or to any specified area, make provisions—

(*a*) for prohibiting, subject to the provisions of the order, a strike or lock-out in connection with any trade dispute;

(*b*) for requiring employers, workmen or both to observe for such period as may be specified in the order such terms and conditions of employment as may be determined in accordance with the order;

(*c*) for referring any trade dispute for conciliation or adjudication in the manner provided in the order;

(*d*) for enforcing for such period as may be specified in the order all or any of the decisions of the authority to which a trade dispute had been referred for adjudication;

(*e*) for any incidental and supplementary matters which appear to the Central Government necessary or expedient for the purpose of the orders;

Provided that no order made under clause (*b*)—

(i) shall require an employer to observe terms and conditions of employment less favourable to the workmen than those which were applicable to them at any time within three months preceding the date of the order;

(ii) where a trade dispute is referred for adjudication under clause (*c*), shall be enforced after the decision of the adjudicating authority is announced by, or with the consent of, the Central Government.

(1A) Where a trade dispute referred for adjudication under clause (*c*) of sub-rule (1) has arisen only in a particular undertaking or group of undertakings, the Central Government may include in the adjudication proceedings any other undertaking either on its own initiative or on an application received in this behalf, whether a trade dispute exists at the time in that undertaking or not, provided that the Central Government is satisfied—

(*a*) that the undertaking to be so included is engaged in the same type of industry or business as

the undertaking or the group of undertakings in which the trade dispute referred for adjudication has arisen; and

(*b*) that the inclusion of the undertaking in the adjudication proceedings will not materially delay the award; and

(*c*) that the issues involved in the trade dispute referred for adjudication have already given rise, or are such as, in the circumstances, may be reasonably be expected to give rise to a similar dispute in the undertaking to be so included.

(1B) Where an undertaking has been included in adjudication proceedings under sub-rule (1A) the provisions of this rule and of any order or award made thereunder shall (save as may be expressly provided to the contrary in any such order or award) apply to and in relation to such undertaking as they apply to and in relation to any undertaking or group of undertakings in which the trade dispute referred for adjudication has arisen.

(2) Unless any such order makes express provision to the contrary, nothing therein shall affect the power to refer any trade dispute or matter connected therewith for report or settlement under the Trade Disputes Act, 1929.

(3) Nothing in the Arbitration Act, 1940, shall apply to any proceedings under any such order.

(3A) An order made under sub-rule (1) referring a trade dispute for adjudication shall specify as far as may be practicable the matters upon which adjudication is necessary or desirable:—

Provided that—

(i) the Central Government may of its own motion or at the instance of any adjudicating authority add to, amend or vary the matters so specified;

(ii) the Central Government may, with a view to specify the said matters, direct the adjudicating authority to make a preliminary enquiry into the nature of the dispute, and postpone specification for such time as may be reasonably required.

(4) If any person contravenes any order made under this rule, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

(5) In this rule the expressions "employer", "lock-out", "strike", "trade dispute" and "workmen" shall have the meanings respectively assigned to them in section 2 of the Trade Disputes Act, 1929 (VII of 1929), subject to the modification that the references to "trade or industry" in the definitions of "strike" and "workman" in the said section shall be construed as including the performance of its functions by a local authority."

By Order,

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

Printed by the Asst. Superintendent at the Government Branch Press, Mysore.

Reg. No. M—1175

The Mysore Gazette

(EXTRAORDINARY)

PUBLISHED BY AUTHORITY

MYSORE, OCTOBER 1, 1946.

GENERAL AND REVENUE SECRETARIAT

No. SD. C. 59/C. 36-46-32, Dated (Camp) Mysore, 1st October 1946.

NOTIFICATION

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore, and continued under Section 2 of the Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Emergency) Act, 1946, the Government of His Highness the Maharaja are pleased to direct that the procedure laid down in Government Notification No. SD. 6004/C. 62-45-124, dated 21-2-1946, and extended by Notification No. SD. 1956/C. 36-46-22, dated 21-8-1946, for the regulation of the ceiling prices of pulses imported into the State, shall continue to be in force till the end of March 1947.

By Order,

K. SRINIVASAN,
Secretary to Government,
Food Department.

PRINTED BY THE ASST. SUPDT. AT THE GOVT. BRANCH PRESS, MYSORE.

Regd. No. M.—1175

The Mysore Gazette

(EXTRAORDINARY)

PUBLISHED BY AUTHORITY

MYSORE, FRIDAY, OCTOBER 4, 1946.

NOTIFICATION

ORDER NO. RL. 402—LEGIS. 17-46-1, DATED (CAMP) MYSORE, 4TH OCTOBER 1946.

Ordered that the accompanying Enemy Agents (Repealing) Act, 1946, which received the assent of His Highness the Maharaja, on the 30th day of September 1946, be published as Act No. XXXIX of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government, Law Department.

ACT No. XXXIX OF 1946.

The Enemy Agents (Repealing) Act, 1946.

(*Received the assent of His Highness the Maharaja on the 30th day of September 1946.*)

WHEREAS it is necessary to repeal the Enemy Agents Act, 1944 (XX of 1944), with effect from the 1st day of October 1946;

NOW THEREFORE in exercise of the powers conferred by section 30 of the Government of Mysore Act, 1940 (XVIII) of 1940;

It is hereby enacted as follows:—

1. This Act may be called the Enemy Agents (Repealing) Act, 1946. Short title.

2. The Enemy Agents Act, 1944 (XX of 1944) is repealed with effect from the 1st day of October 1946. Repeal of Act XX of 1944.

A. RAMASWAMI MUDALIAR,
Dewan.

NOTIFICATION

ORDER NO. RL. 403/LEGIS. 18-46-1, DATED (CAMP) MYSORE, 4TH OCTOBER 1946.

Ordered that the accompanying Official Secrets (Emergency) Act, 1946, which received the assent of His Highness the Maharaja, on the 1st day of October 1946, be published as Act No. XL of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government, Law Department.

ACT No. XL OF 1946.

The Official Secrets (Emergency) Act, 1946.

(Received the Assent of His Highness the Maharaja on the 1st day of October 1946).

WHEREAS the Government of His Highnees the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to provide for certain matters relating to official secrets ;

NOW THEREFORE in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940) ;

It is hereby enacted as follows :—

Short title, extent and application.

1. (1) This Act may be called the Official Secrets (Emergency) Act, 1946.

(2) It extends to the whole of Mysore and applies also to all subjects of His Highness the Maharaja wherever they may be.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(1) any reference to a place belonging to His Highness the Maharaja includes a place occupied by any Department of the Government or by the Palace Office, whether the place is or is not actually vested in His Highness the Maharaja ;

(1-A) any reference to a place belonging to His Majesty the King-Emperor includes a place occupied by any department of the Government of India whether the place is or is not actually vested in His Majesty the King-Emperor.

(2) expressions referring to communicating or receiving include any communicating or receiving, whether in whole or in part, and whether the sketch, plan, model, article, note, document, or information itself or the substance, effect or description thereof only be communicated or received; expressions referring to obtaining or retaining any sketch, plan, model, article, note or document, include the copying or causing to be copied of the whole or any part of any sketch, plan, model, article, note, or document; and expressions referring to the communication of any sketch, plan, model, article, note or document, include the transfer or transmission of the sketch, plan, model, article, note or document;

(3) "document" includes part of a document;

(4) "model" includes design, pattern and specimen;

(5) "munitions of war" includes the whole or any part of any aircraft, tank or similar engine, arms and ammunition or mine intended or adopted for use in war, and any other article, material, or device, whether actual or proposed, intended for such use;

(6) "Office under His Highness the Maharaja" includes any office or employment in or under any department of the Government and the Palace Office;

(7) "photograph" includes an undeveloped film or plate;

(8) "prohibited place" means.—

(*a*) any work of defence, arsenal, naval, military or air force establishment or station, mine, minefield, camp, or aircraft belonging to, or occupied by or on behalf of His Highness the Maharaja or His Majesty the King-Emperor, as the the case may be, any military telegraph or telephone so belonging

or occupied, any wireless or signal station or office so belonging or occupied and any factory or other place so belonging or occupied and used for the purpose of building, repairing, making or storing any munitions of war, or any sketches, plans, models or documents relating thereto or for the purpose of getting any metals, oil or minerals of use in time of war;

(*b*) any place not belonging to His Highness the Maharaja or His Majesty the King-Emperor where any munitions of war or any sketches, models, plans or documents relating thereto are being made, repaired, gotten or stored under contract with, or with any person on behalf of His Highness the Maharaja or His Majesty the King-Emperor, or otherwise on behalf of His Highness the Maharaja or His Majesty the King-Emperor;

(*c*) any place belonging to or used for the purpose of His Highness the Maharaja or His Majesty the King-Emperor which is for the time being declared by the Government by notification in the official Gazette to be a prohibited place for the purposes of this Act on the ground that information with respect thereto, or damage thereto, would be useful to an enemy, and to which a copy of the notification in respect thereof has been affixed in English and in Kannada;

(*d*) any railway, road, way or channel, or other means of communication by land or water (including any works or structures being part thereof or connected therewith) or any place used for gas, water or electricity works or other works for purposes of a public character, or any place where any munitions of war or any sketches, models, plans, or documents relating thereto, are being made, repaired or stored otherwise than on behalf of His Highness the Maharaja or His Majesty the King-Emperor, which is for the time being declared by the Government by notification in the official Gazette to be a prohibited place for the purposes of this Act on the

ground that information with respect thereto, or the destruction or obstruction thereof, or interference therewith, would be useful to an enemy, and to which a copy of the notification in respect thereof has been affixed in English and in Kannada;

(9) "sketch" includes any photograph or other mode of representing any place or thing; and

(10) "Superintendent of Police" includes any police officer of a like or superior rank, and any person upon whom the powers of a Superintendent of Police are for the purposes of this Act conferred by the Government.

3. (1) If any person for any purpose prejudicial to the safety or interests of the State— Penalties for spying.

(*a*) approaches, inspects, passes over or is in the vicinity of, or enters, any prohibited place; or

(*b*) makes any sketch, plan, model or note which is calculated to be or might be or is intended to be, directly or indirectly, useful to an enemy; or

(*c*) obtains, collects, records or publishes or communicates to any other person any secret official code or pass word, or any sketch, plan, model, article or note or other document or information which is calculated to be or might be or is intended to be, directly or indirectly, useful to an enemy;

he shall be punishable with imprisonment for a term which may extend, where the offence is committed in relation to any work of defence, arsenal, naval, military or air force establishment or station, mine, minefield, factory, camp, or aircraft or otherwise in relation to the naval, military or air force affairs of His Highness the Maharaja or His Majesty the King-Emperor or in relation to any secret official code, to fourteen years and in other cases to three years.

(2) On a prosecution for an offence punishable under this section with imprisonment for a term which may extend to fourteen years, it shall not be necessary to show that the accused person was guilty of any particular act tending to show a purpose prejudicial to the safety or

interests of the State, and notwithstanding that no such act is proved against him, he may be convicted if, from the circumstances of the case or his conduct or his known character as proved, it appears that his purpose was a purpose prejudicial to the safety or interests of the State; and if any sketch, plan, model, article, note, document, or information relating to or used in any prohibited place, or relating to anything in such a place, or any secret official code or pass word is made, obtained, collected, recorded, published or communicated by any person other than a person acting under lawful authority, and from the circumstances of the case or his conduct or his known character as proved it appears that his purpose was a purpose prejudicial to the safety or interests of the State, such sketch, plan, model, article, note, document or information shall be presumed to have been made, obtained, collected, recorded, published or communicated for a purpose prejudicial to the safety or interests of the State.

Communications with foreign agents to be evidence of commission of certain offences.

4. (1) In any proceedings against a person for an offence under section 3, the fact that he has been in communication with, or attempted to communicate with, a foreign agent, whether within or without Mysore, shall be relevant for the purpose of proving that he has, for a purpose prejudicial to the safety or interests of the State, obtained or attempted to obtain information which is calculated to be or might be or is intended to be, directly or indirectly, useful to an enemy.

(2) For the purpose of this section, but without prejudice to the generality of the foregoing provision,—

(*a*) a person may be presumed to have been in communication with a foreign agent if—

(i) he has, either within or without Mysore, visited the address of a foreign agent or consorted or associated with a foreign agent; or

(ii) either within or without Mysore, the name or address of, or any other information regarding, a foreign agent has been found in his possession, or has been obtained by him from any other person;

(*b*) the expression "foreign agent" includes any person who is or has been or in respect of whom it appears that there are reasonable grounds for suspecting him of being or having been employed by a foreign power,

either directly or indirectly, for the purpose of committing an act either within or without Mysore prejudicial to the safety or interests of the State, or who has or is reasonably suspected of having, either within or without Mysore, committed, or attempted to commit, such an act in the interests of a foreign power;

(*c*) any address, whether within or without Mysore, in respect of which it appears that there are reasonable grounds for suspecting it of being an address used for the receipt of communications intended for a foreign agent, or any address at which a foreign agent resides, or to which he resorts for the purpose of giving or receiving communications, or at which he carries on any business, may be presumed to be the address of a foreign agent, and communications addressed to such an address to be communications with a foreign agent.

Wrongful communication, etc., of information.

5. (1) If any person having in his possession or control any secret official code or pass word or any sketch, plan, model, article, note, document or information which relates to or is used in a prohibited place or relates to anything in such a place, or which has been made or obtained in contravention of this Act, or which has been entrusted in confidence to him by any person holding office under His Highness the Maharaja, or which he has obtained or to which he has had access owing to his position as a person who holds or has held office under His Highness the Maharaja, or as a person who holds or has held a contract made on behalf of His Highness the Maharaja, or as a person who is or has been employed under a person who holds or has held such an office or contract,—

(*a*) wilfully communicates the code or pass word, sketch, plan, model, article, note, document or information to any person other than a person to whom he is authorised to communicate it, or a Court of Justice or a person to whom it is, in the interests of the State, his duty to communicate it; or

(*b*) uses the information in his possession for the benefit of any foreign power or in any other

manner prejudicial to the safety of the State; or

(*c*) retains the sketch, plan, model, article, note or document in his possession or control when he has no right to retain it, or when it is contrary to his duties to retain it, or wilfully fails to comply with all directions issued by lawful authority with regard to the return or disposal thereof; or

(*d*) fails to take reasonable care of, or so conduct himself as to endanger the safety of, the sketch, plan, model, article, note, document, secret official code or pass word or information;

he shall be guilty of an offence under this section.

(2) If any person voluntarily receives any secret official code or pass word or any sketch, plan, model, article, note, document or information knowing or having reasonable ground to believe, at the time when he receives it, that the code, pass word, sketch, plan, model, article, note, document or information is communicated in contravention of this Act, he shall be guilty of an offence under this section.

(3) If any person having in his possession or control any sketch, plan, model, article, note, document or information, which relates to munitions of war, communicates it, directly or indirectly, to any foreign power or in any other manner prejudicial to the safety or interests of the State, he shall be guilty of an offence under this section.

(4) A person guilty of an offence under this section shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

Unauthorised use of uniforms; falsification of reports, forgery, personation and false documents.

6. (1) If any person for the purpose of gaining admission or of assisting any other person to gain admission to a prohibited place or for any other purpose prejudicial to the safety of the State,—

(*a*) uses or wears, without lawful authority any naval, military, air force, police or other official uniform, or any uniform so nearly resembling the same as to be calculated to deceive, or falsely represents himself to be a person who is or has been entitled to use or wear any such uniform; or

(*b*) orally, or in writing in any declaration or application, or in any document signed by him or on his behalf, knowingly makes or connives at the making of any false statement or any omission; or

(*c*) forges, alters, or tampers with any passport or any naval, military, air force, police, or official pass, permit, certificate, licence, or other document of a similar character (hereinafter in this section referred to as an official document) or knowingly uses or has in his possession any such forged, altered, or irregular official document; or

(*d*) personates, or falsely represents himself to be a person holding or in the employment of a person holding, office under His Highness the Maharaja, or to be or not to be a person to whom an official document or secret official code or pass word has been duly issued or communicated, or with intent to obtain an official document, secret official code or pass word, whether for himself or any other person, knowingly makes any false statement; or

(*e*) uses, or has in his posssesion or under his control without the authority of the department of the Government or the authority concerned any die, seal or stamp of or belonging to, or used, made or provided by any department of the Government, or by any military or air force authority appointed by or acting under the authority of His Highness the Maharaja, or any die, seal or stamp so nearly resembling any such die, seal or stamp as to be calculated to deceive, or counterfeits any such die, seal or stamp, or knowingly uses, or has in his possession or under his control, any such counterfeited die, seal or stamp;

he shall be guilty of an offence under this section.

(2) If any person for any purpose prejudicial to the safety of the State—

(*a*) retains any official document, whether or not completed or issued for use, when he has no right to retain it, or when it is contrary to

his duty to retain it, or wilfully fails to comply with any directions issued by any department of the Government or any person authorised by such department with regard to the return or disposal thereof; or

(*b*) allows any other person to have possession of any official document issued for his use alone, or communicates any secret official code or pass word so issued, or, without lawful authority or excuse, has in his possession any official document or secret official code or pass word issued for the use of some person other than himself, or in obtaining possession of any official document by finding or otherwise, wilfully fails to restore it to the person or authority by whom or for whose use it was issued, or to a police officer; or

(*c*) without lawful authority or excuse, manufactures or sells, or has in his possession for sale, any such die, seal or stamp as aforesaid;

he shall be guilty of an offence under this section.

(3) A person guilty of an offence under this section shall be punishable with imprisonment for a term which may extend to two years, or with fine or with both.

(4) The provisions of sub-section (2) of section 3 shall apply for the purpose of proving a purpose prejudicial to the safety of the State, to any prosecution for an offence under this section relating to the military or air force affairs of His Highness the Maharaja, or to any secret official code in like manner as they apply, for the purpose of proving a purpose prejudicial to the safety or interests of the State, to prosecutions for offences punishable under that section with imprisonment for a term which may extend to fourteen years.

Interfering with officers of the police or members of the military forces.

7. (1) No person in the vicinity of any prohibited place shall obstruct, knowingly mislead or otherwise interfere with or impede, any police officer, or any member of the military forces of His Highness the Maharaja or His Majesty the King-Emperor engaged on guard, sentry, patrol, or other similar duty in relation to the prohibited place.

(2) If any person acts in contravention of the provisions of this section, he shall be punishable with

imprisonment which may extend to two years, or with fine or with both.

Duty of giving information as to commission of offences.

8. (1) It shall be the duty of every person to give on demand to a Superintendent of Police, or other police officer not below the rank of Inspector, empowered by Inspector-General of Police in this behalf, or to any member of the military forces of His Highness the Maharaja or His Majesty the King-Emperor, engaged on guard, sentry, patrol, or other similar duty, any information in his power relating to an offence or suspected offence under section 3 or under section 3 read with section 9 and, if so required, and upon tender of his reasonable expenses, to attend at such reasonable time and place as may be specified for the purpose of furnishing such information.

(2) If any person fails to give any such information or to attend as aforesaid, he shall be punishable with imprisonment which may extend to two years, or with fine, or with both.

Attempts, incitements, etc.

9. Any person who attempts to commit or abets the commission of an offence under this Act shall be punishable with the same punishment, and be liable to be proceeded against in the same manner as if he had committed such offence.

Penalty for harbouring spies.

10. (1) If any person knowingly harbours any person whom he knows or has reasonable grounds for supposing to be a person who is about to commit or who has committed an offence under section 3 or under section 3 read with section 9 or knowingly permits to meet or assemble in any premises in his occupation or under his control any such persons, he shall be guilty of an offence under this section.

(2) It shall be the duty of every person having harboured any such person as aforesaid or permitted to meet or assemble in any premises in his occupation or under his control any such persons as aforesaid, to give on demand to a Superintendent of Police or other police officer not below the rank of Inspector empowered by the Inspector-General of Police in this behalf, any information in his power relating to any such person or persons, and if any person fails to give any such information, he shall be guilty of an offence under this section.

(3) A person guilty of an offence under this section shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

Search warrants.

11. (1) If a Magistrate of the first class is satisfied by information on oath that there is reasonable ground for suspecting that an offence under this Act has been or is about to be committed, he may grant a search-warrant authorising any police officer named therein, not being below the rank of an officer in charge of a police station, to enter at any time any premises or place named in the warrant, if necessary, by force, and to search the premises or place and every person found therein, and to seize any sketch, plan, model, article, note or document, or anything of a like nature, or anything which is evidence of an offence under this Act having been or being about to be committed which he may find on the premises or place or any such person, and with regard to or in connection with which he has reasonable ground for suspecting that an offence under this Act has been or is about to be committed.

(2) Where it appears to a police officer, not being below the rank of Superintendent, that the case is one of great emergency, and that in the interests of the State immediate action is necessary, he may, by a written order under his hand, give to any police officer the like authority as may be given by the warrant of a Magistrate under this section.

(3) Where action has been taken by a police officer under sub-section (2) he shall, as soon as may be, report such action to the District Magistrate of the District.

Power to arrest.

12. Notwithstanding anything in the Code of Criminal Procedure, 1904,—

(*a*) an offence punishable under section 3 or under section 3 read with section 9 with imprisonment for a term which may extend to fourteen years shall be a cognizable and non-bailable offence; and

(*b*) an offence under clause (*a*) of sub-section (1) of section 6 shall be a cognizable and bailable offence; and

(*c*) every other offence under this Act shall be a non-cognizable and bailable offence, in respect of which a warrant of arrest shall ordinarily issue in the first instance.

Restriction on trial of offences.

13. (1) No Court (other than that of a Magistrate of the first class specially empowered in this behalf by the Government) which is inferior to that of a District Magistrate shall try any offence under this Act.

(2) If any person under trial before a Magistrate for an offence under this Act at any time before a charge is

framed claims to be tried by the Court of Session, the Magistrate shall, if he does not discharge the accused, commit the case for trial by that Court notwithstanding that it is not a case exclusively triable by that Court.

(3) No Court shall take cognizance of any offence under this Act unless upon complaint made by order of, or under authority from the Government, or some officer empowered by the Government in this behalf:

Provided that a person charged with such an offence may be arrested, or a warrant for his arrest may be issued and executed, and any such person may be remanded in custody or on bail, notwithstanding that such complaint has not been made, but no further or other proceedings shall be taken until such complaint has been made.

(4) For the purposes of the trial of a person for an offence under this Act, the offence may be deemed to have been committed either at the place in which the same actually was committed or at any place in Mysore in which the offender may be found.

Exclusion of public from proceedings

14. In addition and without prejudice to any powers which a Court may possess to order the exclusion of the public from any proceedings, if, in the course of proceedings before a Court against any person for an offence under this Act, or the proceedings on appeal, or in the course of the trial of a person, under this Act, application is made by the prosecution, on the ground that the publication of any evidence to be given or of any statement to be made in the course of the proceedings would be prejudicial to the safety of the State, that all or any portion of the public shall be excluded during any part of the hearing, the Court may make an order to that effect, but the passing of sentence shall in any case take place in public.

Offence by Companies, etc.

15. Where the person guilty of an offence under this Act is a company or corporation, every director and officer of the company or corporation with whose knowledge and consent the offence was committed shall be guilty of the like offence.

A. RAMASWAMI MUDALIAR,
Dewan.

NOTIFICATION

ORDER No. RL. 404—LEGIS. 18-46-2, DATED (CAMP) MYSORE, 4TH OCTOBER 1946.

Ordered that the accompanying Explosive Substances (Emergency) Act, 1946, which received the assent of His Highness the Maharaja, on the 1st day of October 1946, be published as Act No. XLI of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. XLI OF 1946.

The Explosive Substances (Emergency) Act, 1946.

(Received the assent of His Highness the Maharaja on the 1st day of October 1946).

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to provide for certain matters relating to explosive substances ;

NOW THEREFORE in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940) ;

It is hereby enacted as follows :—

Short title, extent and application.

1. (1) This Act may be called the Explosive Substances (Emergency) Act, 1946.

(2) It extends to the whole of Mysore and applies also to all subjects of His Highness the Maharaja wherever they may be.

Definition of "explosive substance."

2. In this Act the expression "explosive substance" shall be deemed to include any materials for making any explosive substance ; also any apparatus, machine, implement or material used, or intended to be used, or adapted for causing, or aiding in causing, any explosion in or with any explosive substance ; also any part of any such apparatus, machine or implement.

Punishment for causing explosion likely to endanger life or property.

3. Any person who unlawfully and maliciously causes by any explosive substance an explosion of a nature likely to endanger life or to cause serious injury to property shall, whether any injury to person or property has been actually caused or not, be punished with transportation for life or any shorter term, to which fine may be added, or with imprisonment for a term which may extend to ten years, to which fine may be added.

Punishment for attempt to cause explosion, or for making or keeping explosive with intent, to endanger life or property.

4. Any person who unlawfully and maliciously —

(*a*) does any act with intent to cause by an explosive substance, or conspires to cause by an explosive substance, an explosion in Mysore of a nature likely to endanger life or to cause serious injury to property; or

(*b*) makes or has in his possession or under his control any explosive substance with intent by means thereof to endanger life, or cause serious injury to property in Mysore, or to enable any other person by means thereof to endanger life or cause serious injury to property in Mysore:

shall, whether any explosion does or does not take place and whether any injury to person or property has been actually caused or not, be punished with transportation for a term which may extend to twenty years, to which fine may be added, or with imprisonment for a term which may extend to seven years, to which fine may be added.

Punishment for making or possessing explosives under suspicious circumstances.

5. Any person who makes or knowingly has in his possession or under his control any explosive substance, under such circumstances as to give rise to a reasonable suspicion that he is not making it or does not have it in his possession or under his control for a lawful object, shall, unless he can show that he made it or had it in his possession or under his control for a lawful object, be punishable with transportation for a term which may extend to fourteen years, to which fine may be added, or with imprisonment for a term which may extend to five years, to which fine may be added.

Punishment of abettors.

6. Any person who by the supply of or solicitation for money, the providing of premises, the supply of materials, or in any manner whatsoever, procures, counsels, aids, abets, or is accessory to, the commission of any offence under this Act shall be punished with the punishment provided for the offence.

Restriction on trial of offences.

7. No court shall proceed to the trial of any person for an offence against this Act except with the consent of the Government.

A. RAMASWAMI MUDALIAR,

Dewan.

NOTIFICATION

ORDER No. RL. 405—LEGIS. 18-46-3, DATED (CAMP) MYSORE, 4TH OCTOBER 1946.

Ordered that the accompanying Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Amendment) (Emergency) Act, 1946, which received the assent of His Highness the Maharaja, on the 1st day of October 1946, be published as Act No. XLII of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. XLII OF 1946.

The Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Amendment) (Emergency) Act, 1946.

(*Received the assent of His Highness the Maharaja on the 1st day of October 1946*).

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to amend the Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Emergency) Act, 1946 (XXXVII of 1946) ;

NOW THEREFORE in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940) ;

It is hereby enacted as follows :—

Short title.

1. This Act may be called the Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Amendment) (Emergency) Act, 1946.

Amendment of Section 7, Act XXXVII of 1946

2. Section 7 of the Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Emergency) Act, 1946, shall read and shall be deemed always to have read as if,—

(i) in sub-section (1),

(*a*) for the word "land" where it occurs for the first time the words "immoveable property",

(*b*) for the words "requisitioned land" in the two places where they occur, the words "such property" and

(ii) in sub-section (2) for the word "land" the word "property"

had been substituted.

A. RAMASWAMI MUDALIAR,
Dewan.

Printed by the Asst. Superintendent at the Government Branch Press, Mysore

NOTIFICATION.

Order No. R. L. 435—Legis. 19-46-1, dated Bangalore, the 5th November 1946

Ordered that the accompanying Mysore Motor Vehicles and Road Traffic (Fifth Amendment) (Emergency) Act, 1946 which received the assent of His Highness the Maharaja, on the 28th day of October 1946, be published as Act No. XLIII of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XLIII OF 1946.

THE MYSORE MOTOR VEHICLES AND ROAD TRAFFIC (FIFTH AMENDMENT) (EMERGENCY) ACT, 1946.

(Received the assent of His Highness the Maharaja on the 28th day of October 1946.)

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action further to amend the Mysore Motor Vehicles and Road Traffic Act, 1944 (XXVII of 1944);

Now, therefore, in exercise of the powers conferred by Sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

Short title.

1. This Act may be called the Mysore Motor Vehicles and Road Traffic (Fifth Amendment) (Emergency) Act, 1946.

Amendment of section 77-B, Act XXVII of 1944.

2. Section 77-B of the Mysore Motor Vehicles and Road Traffic Act, 1944 shall read and shall be deemed always to have read as if after sub-section (2) thereof, the following sub-section had been inserted, namely,—

"(3) Whoever drives a motor vehicle or causes or allows a motor vehicle to be driven in contravention of the provisions of sub-section (1) or sub-section (2) shall be punishable with imprisonment which may extend to three months or with fine which may extend to five hundred rupees or with both."

A. RAMASWAMI MUDALIAR,
Dewan.

Printed by the Superintendent at the Government Press, Bangalore

NOTIFICATION.

No. S. R. 1795—P. & T. 31-45-8, dated Bangalore, the 7th November 1946.

Under section 13 (2) (iii) of the Mysore Wireless Telegraphy Act, IV of 1937, the Government of His Highness the Maharaja of Mysore are pleased to revise the Form VII for the grant of a Dealers License under the above said Act and the rules thereunder, as shown in the annexure.

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

FORM VII.

Register No. .....

Act for Regulation of Wireless Telegraphy in Mysore,
(Act IV of 1937)

License (Dealer)

License (Dealer) to possess Wireless Telegraphy Apparatus in Mysore State.

Mr. .....
(Name in full)
of .....
(Address in full)

being a dealer in or manufacturer of Wireless Telegraphy Apparatus is hereby licensed (subject in full respects to the provision of the Act and Rules thereunder) to possess Wireless Telegraphy Apparatus and to keep the apparatus at .....
....for a period of twelve months ending on the last day of the month.....194 .

The payment of the license fee of Rs. 10 is hereby acknowledged.

Director of Industries and Commerce.

Dated.....day of..... 194

Issued on behalf of the Government of His Highness the Maharaja of Mysore.

This license does not permit the licensed apparatus to be established, maintained or worked in the Mysore State for which a separate licanseis necessary under the rules

Extracts from Mysore Wireless Telegraphy Rules, 1938.

"Complete Wireless Set" means any apparatus which is capable in itself of transmitting or receiving wireless signals with or without the addition of aerials, valves, power supply telephones, loud speakers or equivalent devices.

10. The licensing authority may cancel any license issued under these rules to any person who has been convicted of a breach of these rules or of an offence punishable under sections 7, 8 or 9 of the Act.

13. (*a*) Every person licensed under these rules shall keep the wireless telegraphy apparatus possessed by him at the premises specified in that behalf in the license.

(*b*) A license issued under the rules for possession of wireless telegraphy apparatus shall ordinarily authorise the licensee to keep wireless telegraphy apparatus in one building only, provided that the licensing authority may, at his dicretion, permit the licensee to keep the apparatus in two or more buildings.

(*c*) The licensing authority may, during the currency of a license, alter the specification of the premises specified therein on receipt of a written application from the licensee together with the license for amendment.

14. Every dealer shall maintain a register of wireless telegraphy apparatus and shall cause to be entered therein :—

(*a*) The details of all such apparatus in his possession together with the dates on which the apparatus came into his possession and the sources from which he obtained it ;

(*b*) The name and address of every person to whom he sells or otherwise transfers wireless telegraphy apparatus together with the date and particulars of such apparatus ;

(*c*) In the case of complete wireless sets, the details, save where proviso to rule 15 is applicable, of the license specified in that rule.

15. Every dealer shall require every person purchasing or acquiring a complete wireless set to produce a valid license issued in such person's name either under these rules to establish, maintain and work a wireless receiving station, or a fixed non-commercial station, or to possess wireless telegraphy apparatus.

Provided that this rule shall not apply—

(*a*) When the person purchasing or acquiring a complete wireless set is not resident in Mysore State and is purchasing or acquiring the set for use outside Mysore State ;

(*b*) Up to and including 1st October 1938 when the person purchasing or acquiring a complete wireless set is a dealer who declares that he has applied to the licensing authority for a license to possess wireless telegraphy apparatus and has not received the license.

16. (*a*) The licensing authority may, by order in writing, appoint Inspectors and Inspecting Officers under these rules.

(*b*) Such Inspector or Inspecting Officer may inspect any wireless telegraphy apparatus in possession of any person who is licensed or exempted under these rules.

(*c*) On demand from such Inspector or Inspecting Officer every person licensed under these rules shall produce his license for inspection and such person shall, to the best of his knowledge and if so required by an Inpsector or Inspecting Officer, give particulars regarding the name and address of any person to whom he may have transferred or from whom he may have received any wireless telegraphy apparatus.

(*d*) On demand from such Inspector or Inspecting Officer, every dealer shall produce the register required under rule 14 of these rules and permit the Inspector or Inspecting Officer to make extracts therefrom.

19. Any breach of the rules other than a breach which is an offence punishable under sections 7, 8 or 9 of the Act shall be punishable with fine which may extend to one hundred rupees.

Prize 0-0-6

Printed by the Superintendent at the Government Press, Bangalore

NOTIFICATION.

Order No. R. L. 503—Legis. 21-46-1, dated Bangalore, the 14th November 1946.

Ordered that the accompanying Repealing (Emergency continuance) Act, 1946 which received the assent of His Highness the Maharaja on the 8th day of November 1946, be published as Act No. XLIV of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. XLIV OF 1946.

THE REPEALING (EMERGENCY CONTINUANCE) ACT, 1946.

(Received the assent of His Highness the Maharaja on the 8th day of November 1946.)

WHEREAS the Repealing (Emergency) Act, 1946, (XXI of 1946) which received the assent of His Highness the Maharaja on the twenty-eighth day of May 1946 will expire six months thereafter;

AND WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to extend it for a further period of six months;

Now, therefore, in exercise of the powers conferred by clause (*a*) of Sub-section (2) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

1. This Act may be called the Repealing (Emergency Continuance) Act, 1946. Short title.

2. The Repealing (Emergency) Act, 1946, is hereby extended for a further period of six months. Continuance of Act XXI of 1946.

A. RAMASWAMI MUDALIAR,
Dewan.

Price: 0-0-6.

Printed by the Superintendentat the Government Press, Bangalore

NOTIFICATION.

No. P. 3239—Pol. 163-16-4, dated Bangalore, the 14th November 1946.

In exercise of the powers conferred by Sections 12 and 22 of the Mysore Arms Act, VI of 1890, as amended from time to time, the Government of His Highness the Maharaja are pleased to direct that the following further amendment be made in the Mysore Arms Rules, 1926, *viz.*:—

In the table set forth in Schedule III to the said Rules, after entry (7) the following entry shall be inserted, namely :—

"(*i*)

(8) Persons who have received any of the following honours or awards, namely :—

I. The Victoria Cross.
II. The Distinguished Flying Cross.
III. Awards for meritorious service which are not lower than the "Meritorious Service Medal".
IV. The George Cross.
V. The Albert Medal.
VI. The Kings Police and Fire Service Medal.
VII. The George Medal.
VIII. The Edward Medal.
IX. The Medal for saving life at Sea.
X. The Indian Order of Merit (Civil Division).
XI. The Indian Police Medal.
XII. The British Empire Medal.

(*ii*)

Such arms and ammunition as may be considered reasonable by the Officer issuing the license."

V. VEDAVYASACHARYA, *Chief Secy.*

Price : 0-0-6.

Printed by the Superintendent at the Government Press, Bangalore.

NOTIFICATION.

No. A. F. 3038—Mart. 11-46-2, dated Bangalore, 20th November 1946.

The following draft amendments to the Mysore Agricultural Produce Market Rules, 1941, which the Government of His Highness the Maharaja propose to make in exercise of the powers conferred by sub-section (1) of section 6 of the Mysore Agricultural Produce Markets Act, 1939 (XVI of 1939) are hereby published for the information of the persons likely to be affected thereby as required by sub-section (3) of section 6 of the said Act.

Notice is hereby given that objections or suggestions, if any, may be forwarded for consideration to the Secretary to Government, General Department, within six weeks (5th January 1947). Objections or suggestions not received within the said period will not be considered.

Draft Amendments.

The word and figures "and 5 (2)" occurring in Rule 7 (1), after the words and figures "under Rule 5 (1)," shall be deleted.

In Rule 22 of the said rules, the following words shall be inserted between the words "chairman" and "who":—

"or any other person authorised by him".

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

Price : 0-0-6.

Printed by the Superintendent at the Government Press, Bangalore.

NOTIFICATION.

No. A. F. 3042—C. S. 20-46-2, dated Bangalore, the 20th November 1946.

The following draft amendments to the Mysore Co-operative Rules, 1920, which the Government of His Highness the Maharaja propose to make, in exercise of the powers conferred by sub-sections (1) and (2) of section 44 of the Mysore Co-operative Societies Act, 1918 (Act VII of 1918), are hereby published as required by sub-section 3 of section 44 of the said Act, for the information of all persons likely to be affected thereby.

Notice is hereby given that objections or suggestions, if any, may be forwarded to the Secretary to Government, General Department, within 5th January 1947 for consideration.

Objections or suggestions not received within the aforesaid date will not be considered.

DRAFT AMENDMENTS.

Substitution of new Rule for Rule 32:

Rule 32.—1. The Management of the Mysore Provincial Co-operative Apex Bank, Ltd., shall vest in a Board of Directors consisting of 15 persons including the President.

2. The President of the Board shall be elected annually by the General Body at the annual general meeting of the Bank subject to the approval of Government.

3. One Director shall be nominated by Government and he shall hold office till his successor is appointed. He need not necessarily be a member of the Bank.

4. The remaining thirteen Directors shall be elected at the annual general meeting by their own representative groups of electors as specified in Rule 5 below.

5. (i) One Director shall be elected by the preference share-holders from among themselves.

(ii) One Director shall be elected by the representatives of affiliated Co-operative Societies situated within the municipal limits of Bangalore and Mysore Cities from among themselves.

(iii) Two Directors shall be elected by the representatives of affiliated urban Co-operative Societies,

excluding those situated within the municipal limits of Bangalore and Mysore Cities, from among themselves.

(iv) The remaining nine Directors shall be elected by the representatives of rural affiliated societies at the rate of one for each district from among themselves.

6. The term of office of all the 13 Directors elected in accordance with clause 5 above shall expire on the day of the annual general election following the election but they shall be eligible for re-election provided, however, that the representatives of the preference share-holders and of the societies situated within the municipal limits of the Cities of Bangalore and Mysore shall not hold office for more than two terms consecutively.

7. Any vacancy occurring in the office of the President or other Directors (excepting the one nominated by Government under clause 3 above) by death, resignation or any other cause, shall be filled up for the unexpired term of the Board in such a way that the number of representatives of each class of members shall be in conformity with clause 5 above, the selection of the President being subject to the approval of Government.

8. The Chief Officer of the Bank shall be the Secretary. He shall be a whole-time salaried officer who shall be appointed by the Board subject to the approval of Government. He shall not be a member of the Board.

9. The Bank shall have a qualified auditor on its staff for purposes of internal continuous audit and his appointment shall be subject to the approval of the Registrar.

N.B.—The expression "Urban Co-operative Societies" shall mean and include all Co-operative Societies situated within the jurisdiction of the Town Municipalities in the State and the Sanitary Board of the Kolar Gold Fields.

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

Printed by the Superintendent at the Gove nment Press, Bangalore.

Regd. No. M. 1176.

The Mysore Gazette

PUBLISHED BY AUTHORITY

EXTRAORDINARY

BANGALORE, SATURDAY, DECEMBER 7, 1946.

NOTIFICATION.

No. Rl. 632—R. A. 30-46-2, dated Bangalore, the 7th December 1946.

In exercise of the powers vested in them by the provisions of the Government of Mysore Act, 1940, the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Mysore Legislative Rules, 1941, *viz.*—

For the existing Rule 24, the following rule shall be substituted:—

"24. The Dewan, at any time after notice has been given of a motion for adjournment, may, notwithstanding the consent of the President, or before such consent has been given, take cognizance of such motion and disallow it on the ground that it cannot be moved without detriment to the public interest and, if he does so, the adjournment shall not be permitted by the President, and no further discussion of the motion shall take place. Such disallowance shall be communicated to the President in writing under the signature of the Dewan. Where, due to the absence of the Dewan from the place of meeting, this is not practicable, the disallowance by the Dewan howsoever given shall be communicated to the President by the Chief Secretary to Government whose certificate that the Dewan has disallowed the motion under this rule shall be conclusive proof of such disallowance."

Power of Dewan to disallow motion for adjournment.

By Order,

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

Printed by the Superintendent at the Government Press, Bangalore

NOTIFICATION.

No. Fl. 4502—I. T. 9-46-9, dated Bangalore, the 13th December 1946.

In exercise of the powers conferred by Section 59 of the Mysore Income-tax Act, V of 1923, as amended from time to time, the Government of His Highness the Maharaja are pleased to publish the following amendments to the rules framed thereunder for the information of all the persons likely to be affected and do hereby give notice that the said amendments will be taken into consideration on or after one month from the date of publication of this Notification. Any objections or suggestions that may be received from the Public in respect of the amendments before the date specified will be considered by Government.

1. The following shall be substituted for Rule 9.—

"9. For the purpose of obtaining an allowance for depreciation under proviso (*a*) to Section 10 (2) (vi) of the Act, the assessee shall furnish particulars to the Income-tax Officer in the following form:—

Description of buildings, machinery, plant or furniture	*Written down value as at the beginning of the accounting period	Capital expenditure during the year for additional alterations, improvements and extensions	Date from which the additions, etc., referred to Col. 3 are used for the purposes of the business, profession or vocation	If a plant or machinery has been sold or discarded during the year, shown in this column the written down value at the beginning of the accounting period and the value for which it is actually sold or its scrap value	Amount on which depreciation is now allowable	Prescribed rate per cent	Depreciation allowable	Remarks
1	2	3	4	5	6	7	8	9

*Note.—1. Written down value means:—In the case of assets acquired in the previous year the actual cost of the assessee.

2. In the case of assets acquired before the previous year the actual cost to the assessee less all depreciation actually allowed under Act 1923 or 1920.

I.....declare that to the best of my information and belief, the buildings, machinery, plant and furniture described in Column 1 of the above statement were the property of.....during the year ended..... and that the particulars entered in the statement are correct and complete.

Place..... ... *Signature*....."

Date.....*194* .

2. The following shall be substituted for Rule 12 of the said rules :—

"In the case of any income chargeable under the head 'Interest on Securities' the person responsible for paying the interest shall at the time of deduction send to the Income-tax Officer concerned a statement showing following particulars :—

(1) Name and address of the recipient.

(2) Description of securities.

(3) Numbers of securities.

(4) Dates of securities.

(5) Amounts of securities.

(6) Period for which interest is drawn.

(7) Amount of interest.

(8) Amount of tax.

(9) Date of payment of interest."

3. After Rule 12, the following new rules shall be inserted :—

"12-A. The person making deduction in accordance with sub-section (2-A) of Section 18 shall at the time of deduction send to the Income-tax Officer concerned a statement showing the following particulars :—

1. Name and address of the non-resident on whose behalf the tax is deducted.
2. The date of payment.
3. The nature of payment.
4. The amount paid, with details in the case of interest, *re* the rate per cent, per annum, the period for which the interest has been paid and the amount on which the interest has been computed.
5. The amount of income-tax deducted.
6. The amount of super-tax deducted.

12-B. On receipt of the statements prescribed in Rules 12 and 12-A, the Income-tax Officer shall, without delay, prepare the necessary challan and send it to the person responsible for making the deduction who shall

pay the amount to the credit of the Mysore Government by remitting it into the Government Treasury within the time limit specified in Rule 10; provided that where deduction is made by or on behalf of Government the amount shall be credited within the time and in the manner aforesaid without production of challan."

4. After Rule 13-A, the following Rule shall be inserted:—

"13-B. The certificate to be furnished under Section 18 (8) of the Act by the person paying any interest not being "interest on securities" or any other sum chargeable under the provision of the Act shall be in the following form :—

1. Name of person making payment.
2. Nature of payment.
3. Address.

To

Name and address of payee.

I/We hereby certify that Rupees.....being income-tax at the rate of.....pies per rupee and Rupees.....being super-tax at the rate applicable have been deducted from Rs.....being the amount paid on ..... * at the rate of.....per cent per annum for the period (1) computed on the amount of Rupees (2).

I/We hereby certify that the sum deducted will be paid by me/us to the Government of Mysore at the.....Treasury.

Signature of person making payment."

5. The following shall be substituted for Rule 17 :—

"17. The return to be delivered to the Income-tax Officer under Section 21 of the Mysore Income-tax Act, 1923, to be made within thirty days from the 30th day of June in each year by the prescribed person in the case of every Government Office, and the principal officer or the prescribed person in the case of every local authority, company or other public body or association and every

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* This applies to payment of interest only.
(1) Here specify the period for which interest has been computed.
(2) Here state the amount on which interest has been computed.

private employer shall be made and verified in the following form:—

Serial No.	Name of employee	Postal address of residence	Appointment or nature of employment	Total amount of salary, wages, annuity or pension paid during the year ending on 31st March 19	Period for which items in column 5 were paid	House allowance paid during the year	Value of rent-free quarters for the year	Bonus, gratuity, fees, commission, perquisites or other allowances profits in lieu of salary payments made at or in connection with the termination of employment advance of salary, etc., and all other sums paid which were chargeable to income-tax (full details showing the total amount paid during year period for which the payments were made are to be given separately for each distinct class of payment)
1	2	3	4	5	6	7	8	9

Salary, bonus, and all other sums which were due to be paid during the year but which were not actually paid (full details showing the amount, the due date and the period for which the amount was payable are to be given)	Total of columns 5, 7, 8, 9 and 10	Yearly amounts paid in respect of provident fund contributions and life insurance premiums (give details)	Earned income allowance	Net amount upon which tax has been deducted during the year	Total amount of income-tax deducted during the year	Total amount of super-tax deducted during the year	Remarks
10	11	12	13	14	15	16	17

I certify that the above statement contains a complete list of the total amount paid by.....to all persons who were receiving or to whom was due income on the 30th day of June 19 , at the rate of Rs. 2,000 per annum or have received or to whom was due during the year ended on that day not less than Rs. 2,000 in respect of salary, wages, annuity pension, gratuity, fees, commission, perquisite or profits in lieu of or in addition to salary or wages, advances of salary payments at or in

addition to salary or wages, advances or salary payments at or in connection with retirement of any other sums chargeable to income-tax under the head "salaries" and that all the particulars stated are correct.

Date..... *Signature of person by whom the return*

of..... *is delivered*.....

Designation....."

6. At the end of the existing Rule 18, the following para shall be added.

A statement of the names and addresses of all persons to whom the assessee-company has paid in the previous year rent etc., amounting to more than four-hundred rupees to be furnished under sub-section (3) of section 38 shall be in the form prescribed in Schedule B to Rule 19.

7. To Rule 19, the following shall be added after schedule A as Schedule B.

Schedule B—Sub-Section (3) of Section 38.

Statement of the names and addresses of all persons to whom assessee has paid in the previous year rent, interest, commission, royalty or brokerage or any annuity (not being an annuity taxable under the head 'Salaries') amounting to more than four hundred rupees and particulars of all such payments.

Sl. No.	Name and address of the person to whom the payment was made	Nature of payment	Amount paid	Date of payment	Whether paid in cash or by book adjustment

8. After rule 43, the following shall be added :—

"43A. The return under section 20A shall be in the following form and shall be delivered to the Income-tax Officer in whose jurisdiction the person responsible for paying interest resides :—

RETURN UNDER SECTION 20-A OF THE MYSORE INCOME-TAX ACT 1923 FOR THE YEAR 1ST JULY 19 TO 30TH JUNE 19 .

Name of payer.
Address of payer.

Sl. No.	Name of Payee	Address of payee	Date of payment	Amount of interest or aggregate interest

I hereby certify that the above statement contains a complete list of persons to whom interest or aggregate interest exceeding Rs. 400 was paid during the period 1st July 194 to 30th June 194 .

9. The present Rules 25 to 32 and Rule 35 (inclusive) shall be omitted."

S. KANAKARATNARAJ, *Law Secy.*

Price: 0-0-9

Printed by the Superintendent at the Government Press, Bangalore.